

RCRA INSPECTION REPORT

TYPE OF FACILITY

TYPE OF INSPECTION

NON-REGULATED STATUS N/A

PART A N/A

PART B PERMIT APPLICATION *N/A*

ENFORCEMENT

ORDERS ISSUED

TSD FACILITY ACTIVITY SUMMARY[illegible]

OWNER**OPERATOR**

Name	Glen Wellman	Name	IWI Industries
Address	7738 W 61 st Place	Address	~same~
City	Summit	City	
State	IL	State	Zip
Zip	60501	Zip	
Phone #	708-458-8700	Phone #	

PERSON(S) INTERVIEWED	TITLE	PHONE #
Dan Ehrler	Production Foreman	708-458-8700
Glen Wellman	President	"

INSPECTION PARTICIPANT(S)	AGENCY/TITLE	PHONE #
Tina Kovaszay	IEPA-EPS	708-338-7900
Gino Bruni	IEPA-EPS	"

PREPARED BY	AGENCY/TITLE	PHONE #
Tina Kovaszay	"	"

SUMMARY OF APPARENT VIOLATIONS

Area	Class	Section
		21(p)(1)
		21(a)
Outstanding-Cited 11-19-94		
		808.121(a)
Outstanding-Cited 11-24-92		
GC	1	722.111
May be applicable based on the waste determination		
		722.112(a)
		722.134(a)
		(725.271)
		(725.273(a))
		(725.273(b))

Area	Class	Section
		(725.274)
		(725.291(a))
		(725.193(a))
		(725.294)
		(725.295(a))
		(725.295(c))
		(725.296)
		(725.296(d))
		(725.131)
		(725.132)
		(725.134)
		(725.135)
		(725.137)

Area	Class	Section
		(725.151(a))
		(725.155)
		(725.156(a)+
		(725.116(a))
		(725.116(d))
		703.150(a)
		725.111
		725.113(a)
		725.113(b)
		725.114(d)
		725.115(a)
		725.115(b)
		725.115(c)

SUMMARY OF APPARENT VIOLATIONS

Area	Class	Section
		725.115(d)
		725.116(a)
		725.116(d)
		725.131
DPP		725.132
		725.134
		725.135
		725.137
		725.151(a)
		725.155
		725.156(a-h)
		725.173
		725.174(a)

Area	Class	Section
		725.175
		725.176
		725.177
		725.212(a)
		725.242(a)
		725.271
		725.273(a)
		725.273(b)
		725.274
		725.291(a)
		725.293(a)
		725.294
		725.295(a)

[illegible]

IWI Industries
0311740003 - ILD097179204
October 5, 1994

NARRATIVE

IWI Industries manufactures and repairs portable tote tanks. They have also recently begun selling tote parts. IWI no longer cleans out used tanks. The totes are cleaned out before arriving at IWI. According to Glen Wellman, President, there is no hazardous waste generated, stored, or disposed of on-site. During the inspection, it was discovered that IWI is storing a very large amount of material on-site. Mr. Wellman claims that the material on-site is not hazardous waste and can be used in the future. Mr. Wellman stated that old paint is used as primer, and all grease on-site is new product which can be sold. According to Dan Ehrler, Production Foreman, IWI is currently sorting through the drums on-site to determine if the material is usable. There is a substantial decrease in the amount of drums found on-site since the last inspection. Material which appears contaminated or unusable during the last inspection continues to be stored on-site. The following is an inventory of material found on-site. Because of the condition of the site, this inventory is not exact.

Building P

- 1) 122 drums labeled grease
- 2) empty totes
- 3) area along north wall saturated with what appears to be grease and/or oil (photo 2)
- 4) material from building G is migrating into building P (photo 3)

Building G

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building. This building has holes in the south and east walls which are allowing the material to migrate into buildings P and H. According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 15 years.

Building H

Waste from building G is migrating into this building (photos 4 & 5).

Building F

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building (photos 6 and 7). This building has an opening on the west wall which appears to have been used to dump the waste into the building (photo 8). According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 15 years.

Building L

No evidence of waste in this building.

Building D

No evidence of waste in this building.

Building S

Numerous totes filled with grease. Location of former process area where totes were emptied and cleaned out. Tank is currently filled with what appears to be paint waste (photo 11). During the 1-11-94 inspection, this building also contained 2-30 gallon fiber drums which had completely collapsed, were open, and contained a white solid. One of the drums was labeled "corrosive solid NOS - corrosive material UN1759". These drums were not on-site during this inspection, and Mr. Ehrler stated that they had been thrown into the dumpster.

Building A

Approximately 50 totes - contents unknown. Approximately 200 drums containing various materials (photos 12 and 13). Sump located along north wall with a pipe leading to it - filled with unknown liquid material. The majority of the drums in this area are in very poor condition, and left open. It appears as if waste has been removed from this building. Although the majority of the material in these drums appears contaminated and unusable, Mr. Ehrler and Mr. Wellman claim that waste paint is being reused as primer on totes, and grease is sellable.

Building O

No evidence of waste in this building.

Building N

Painting area with a substantial amount of paint residue on the ground (photo 16). The sump in this area is full of an unknown liquid and, according to Mr. Ehrler, is pumped to the sewer as needed (photo 14). A second, larger sump (photo 15) is located just south of the painting area and also contains an unknown liquid which travels south through a second, third, and fourth sump from which it is discharged to the sewer once a week.

Building M

Area where production occurs (welding area). Storage of finished totes and the old nozzle test cabinet. Pipe leading from building to east ditch. Location of sump 2, 3, and 4 (photo 17).

S04 - Surface Impoundment

In the past, the ditch located on the west side of the facility which supposedly contained waste was considered to be a surface impoundment. Supposedly, soil was excavated from this area sometime in the past, but the location of the excavated material is unknown, and closure was never conducted. According to Mr. Wellman, the property directly west of the fuel oil tank is not owned by IWI. A certified appraisal of the property boundary was conducted some time in June, 1992 by Mike Witten (United Appraisal Company - 708-460-5800). It is the opinion of this inspector that IWI does not operate a RCRA surface impoundment.

Open Dumping

West of Building S: a 5' x 30' area in ditch west of the concrete pad which is contaminated with what appears to be grease or oil, and a 5' x 5' hardened spill surrounding totes

West Wall of Building H: two areas contaminated with material migrating from building G

North Area of Building P: entire northern portion of building is saturated with grease or oil

Apparent Violations

New - Cited 10-5-94

- 21(p)(1) - Causing or allowing litter (see open dump section above for details).
- 21(a) - Causing or allowing the open dumping of any waste (see open dump section above for details).

Outstanding - Cited 1-11-94

- 808.121(a) - IWI has not determined whether the paint chips and paint scrapings found in the dumpster in building M are a special waste.

Outstanding - Cited 11-24-92

- 722.111 - IWI must make a waste determination on any materials which appear to be waste.

The following violations may be applicable based on the waste determination:

- 722.112(a) - Generator has not obtained a USEPA ID # (no 8700-12 form submitted)

West of Building S

A hardened spill was observed beneath two totes being stored on the concrete pad west of building S (photo 9). Also, soil contamination was observed (approximately 5' x 30') in the ditch west of the concrete pad (photo 10).

Hazardous Waste Units

The following areas will be storage areas if the material on-site is found to be hazardous.

S01 - Container Storage Areas

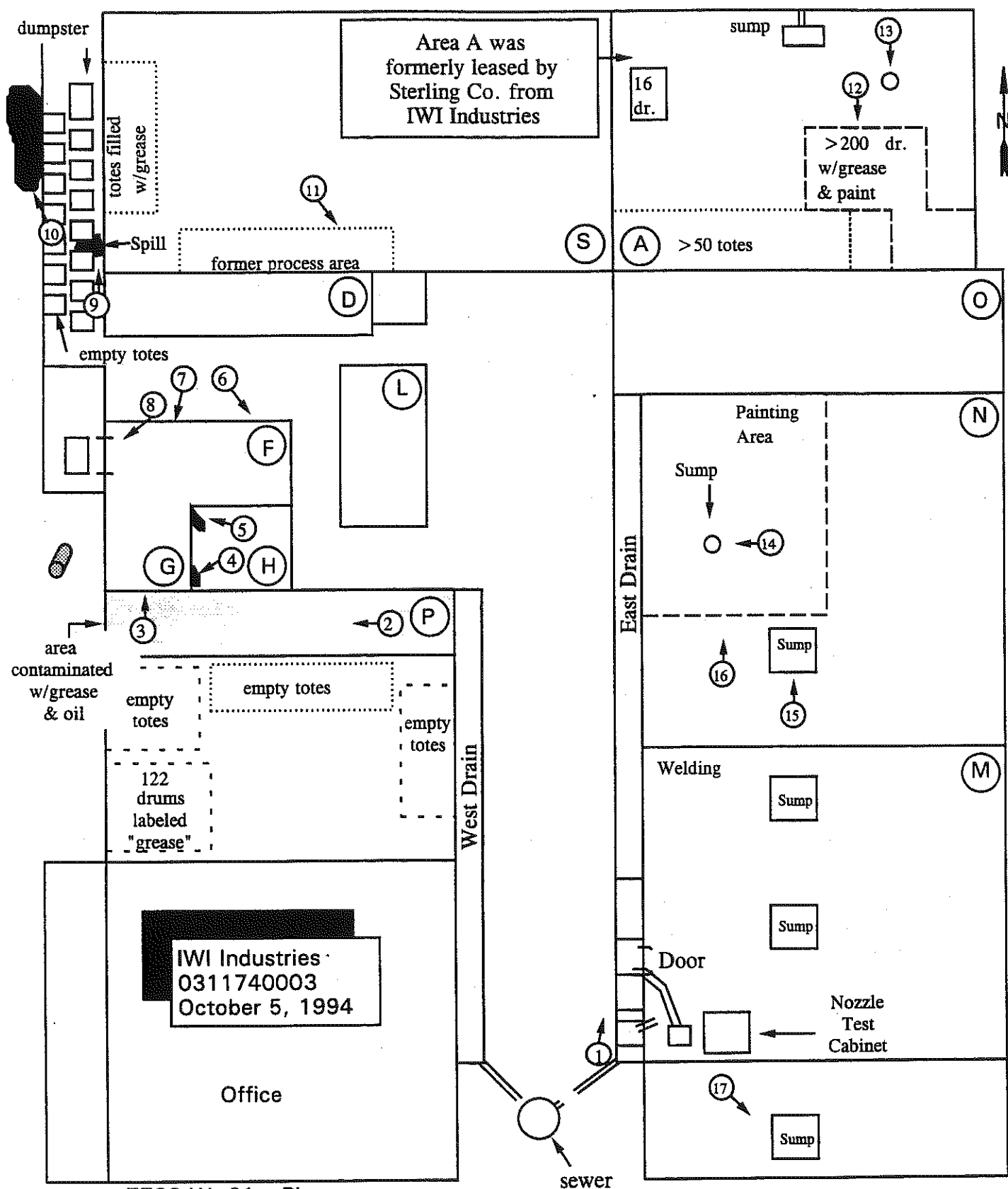
Building P:	southwest corner - 122 drums
Building H:	center of building - 4 drums previously stored here
Building S:	against west wall - totes full with grease and southwest corner of building previously contained collapsed drums labeled corrosive
Building A:	entire building - >50 totes, >200 drums
Building O:	southwest corner - previously contained >15 totes along south wall and 54 drums along north wall
Building N:	south section of building which previously contained paint waste and drums labeled hydrofluoric acid, 3 drums, 5 pails and 1 vat of what may be grease and 1 drum and 1 partially filled tote of paint
Outside Building G/F:	west side of building - previous location of a container with unknown material
Outside Building S:	west side of building - previous location of tote filled with grease, dumpster filled with an unknown material and general refuse
Outside Building O:	northeast corner of courtyard - previous location of 1 drum of paint waste

S02 - Tank Storage

Building G/F:	entire building has been considered a tank--approximately 2-3 feet of waste covering floor
Outside Building G:	black tank containing unknown material
Building S:	former process area - tank formerly used to clean out totes brought in from off-site

722.134(a)	-	Have not complied with Part 725, Subpart I&J (no dates, labels, etc.)
(725.271)	-	Containers are in poor condition and are leaking
(725.273(a))	-	Containers must always be closed during storage
(725.273(b))	-	Containers are stored and handled in a manner which may cause the containers to rupture or leak
(725.274)	-	No inspections of containers are being conducted
(725.291(a))	-	No independent, certified, written assessments of tanks is available
(725.193(a))	-	No secondary containment has been provided for the three tanks on-site
(725.294)	-	No spill prevention controls on tanks
(725.295(a))	-	No tank inspections are being conducted
(725.295(c))	-	No documentation of inspections in operating record
(725.296)	-	Tanks which have had leaks or spills must be removed from service immediately
(725.296(d))	-	Releases were not reported to the Agency
(725.131)	-	Facility is not maintained to minimize the possibility of releases of hazardous waste to the environment
(725.132)	-	No required equipment: internal, external alarms or communication devices, fire, spill, or decontamination equipment
(725.134)	-	No immediate access to alarm or emergency communication device
(725.135)	-	Inadequate aisle space
(725.137)	-	No arrangements with local authorities
(725.151(a))	-	No contingency plan
(725.155)	-	No emergency coordinator
(725.156(a-h))	-	No action taken upon release of waste
(725.116(a))	-	No personnel training
(725.116(d))	-	No documentation of personnel training
703.150(a)	-	No Part A submitted
725.111	-	Facility owner must apply for a USEPA ID # (no 8700-12 form submitted)
725.113(a)	-	No waste analysis provided before storage
725.113(b)	-	No written waste analysis plan
725.114(c)	-	No "Danger-Unauthorized Personnel Keep Out" sign posted near storage areas
725.115(a)	-	No inspections being conducted
725.115(b)	-	No written inspection schedule
725.115(c)	-	No remediation of deteriorations
725.115(d)	-	No inspection log or summary
725.116(a)	-	No personnel training
725.116(d)	-	No documentation of personnel training
725.131	-	Facility is not maintained to minimize the possibility of releases of hazardous waste to the environment

725.132	-	No required equipment: internal or external alarms or communication devices, fire, spill, or decontamination equipment
725.134	-	No immediate access to alarm or emergency communication device
725.135	-	Inadequate aisle space
725.137	-	No arrangements with local authorities
725.151(a)	-	No contingency plan
725.155	-	No emergency coordinator
725.156(a-h)	-	No action taken upon release of waste
725.173	-	No operating record
725.174(a)	-	No records were available at the time of the inspection
725.175	-	No facility annual reports have been submitted
725.176	-	Accepted hazardous waste without a manifest (no unmanifested waste report filed)
725.177	-	No reports regarding releases have been submitted to the Agency
725.212(a)	-	No closure plan
725.242(a)	-	No written closure cost estimate
725.271	-	Containers are in poor condition and are leaking
725.273(a)	-	Containers must always be closed during storage
725.273(b)	-	Containers are stored and handled in a manner which may cause containers to rupture or leak
725.274	-	No inspections of containers are being conducted
725.291(a)	-	No independent, certified, written assessment of tanks is available
725.293(a)	-	No secondary containment has been provided for the three tanks on-site
725.294	-	No spill prevention controls on tanks
725.295(a)	-	No tank inspections are being conducted
725.295(c)	-	No documentation of inspections in operating record
725.296	-	Tanks which have had leaks or spills must be removed from service immediately
725.296(d)	-	Releases were not reported to the Agency
728.107(a)	-	Generator has not tested his waste to determine if it is restricted from land disposal
728.150(a)(1)	-	Storage of LDR waste not necessary to facilitate proper disposal
728.150(a)(2)	-	Storage containers and tanks are not marked with contents and accumulation dates
728.150(c)	-	Storing LDR waste for greater than a year--not necessary for proper disposal



7738 W. 61st Pl.

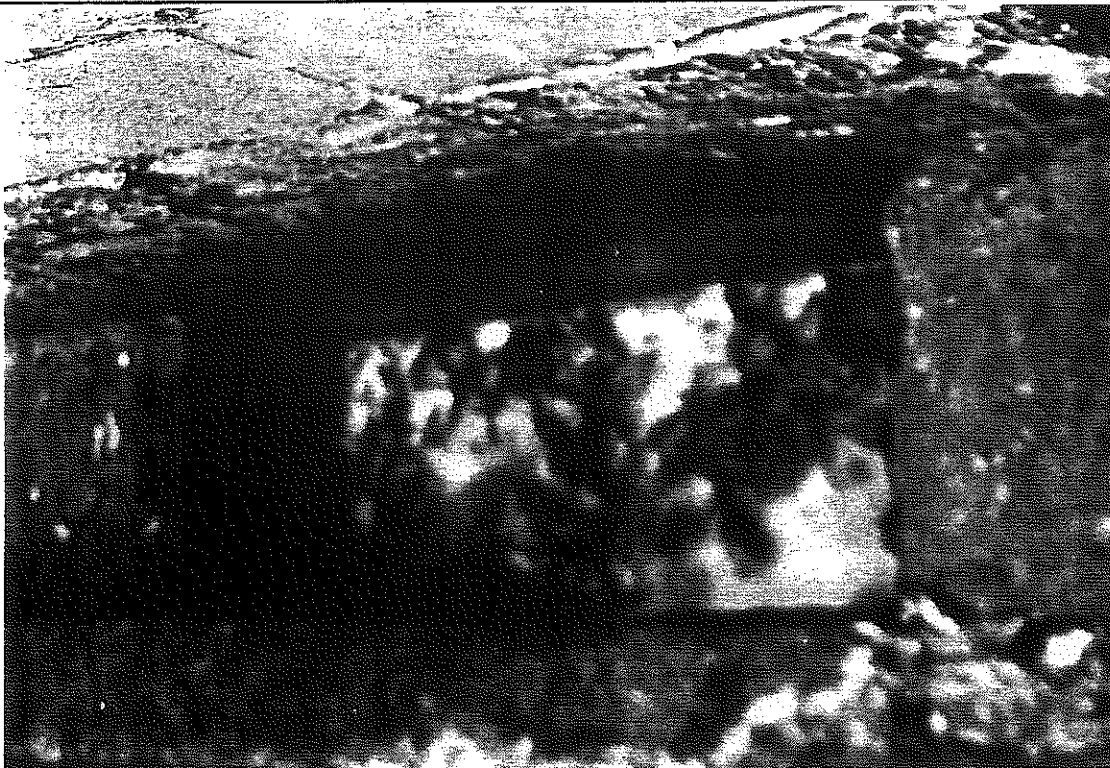
61st Place

Not to scale

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovaszny



Comments: N: East drain containing white paint.

Roll #: 95-109 Photo #: 1



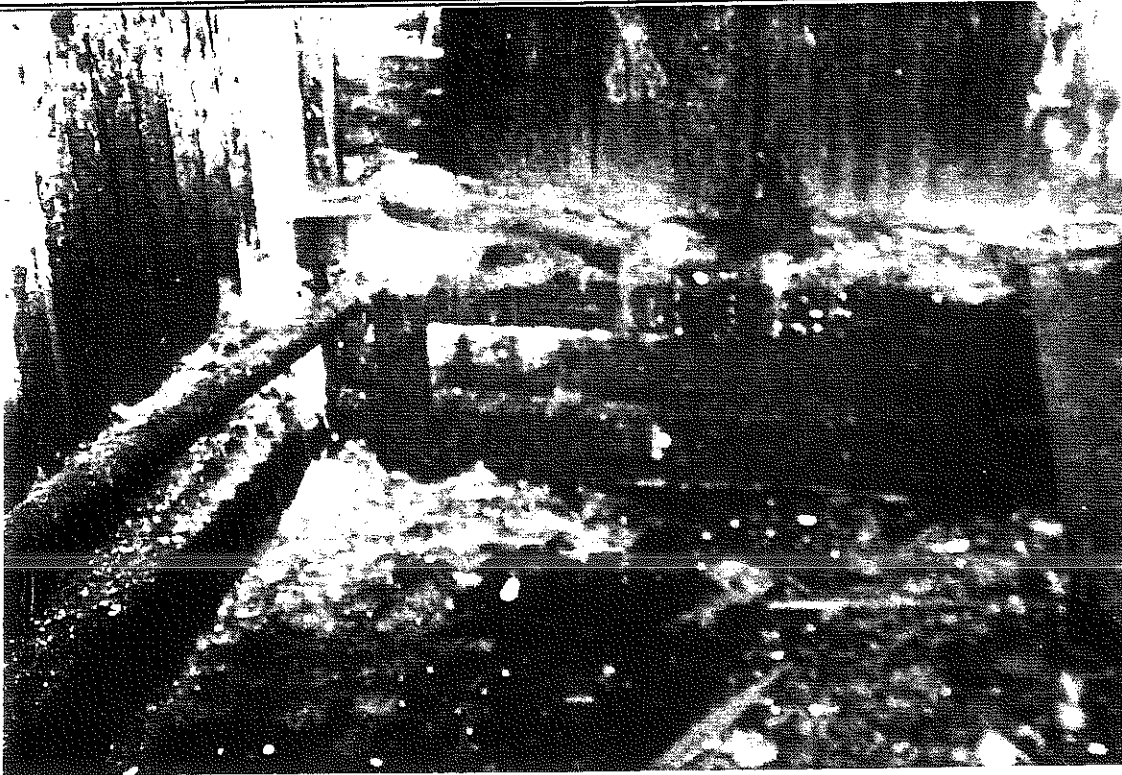
Comments: W: Along north wall of building P--appears to be contaminated with oil or grease.

Roll #: 95-109 Photo #: 2

Illinois Environmental Protection Agency Photographs

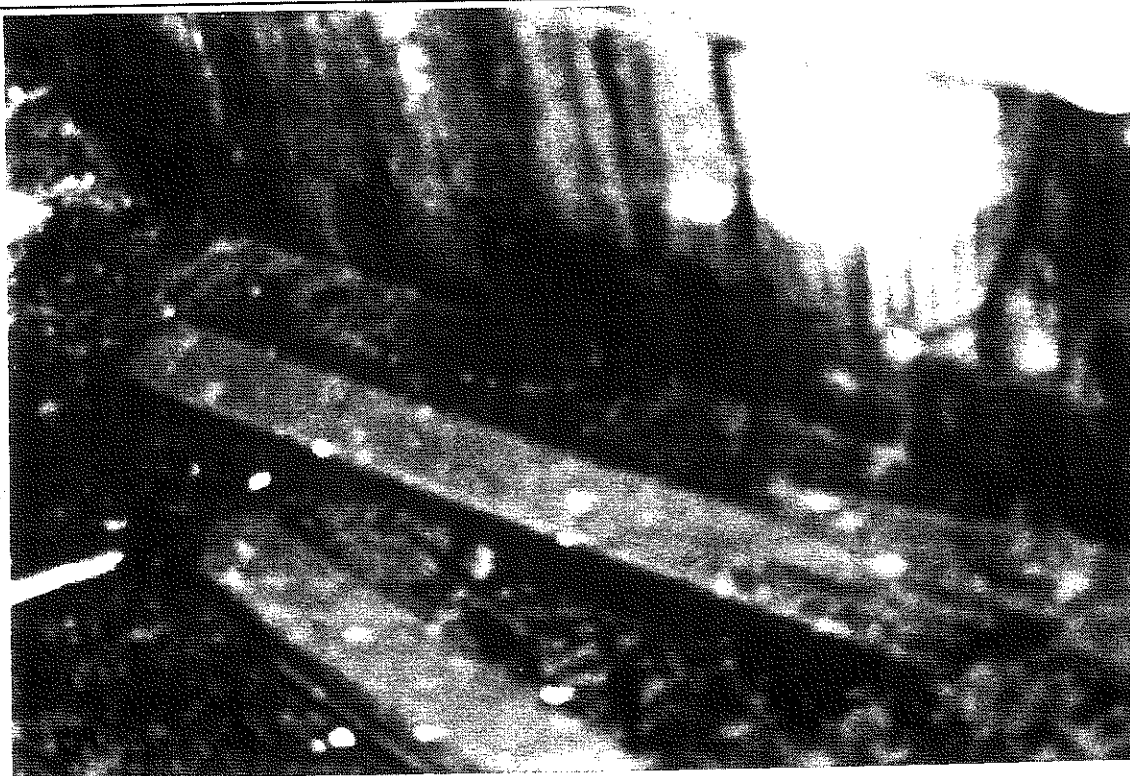
Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: N: Material from Building G migrating into Building P.

Roll #: 95-109 Photo #: 3



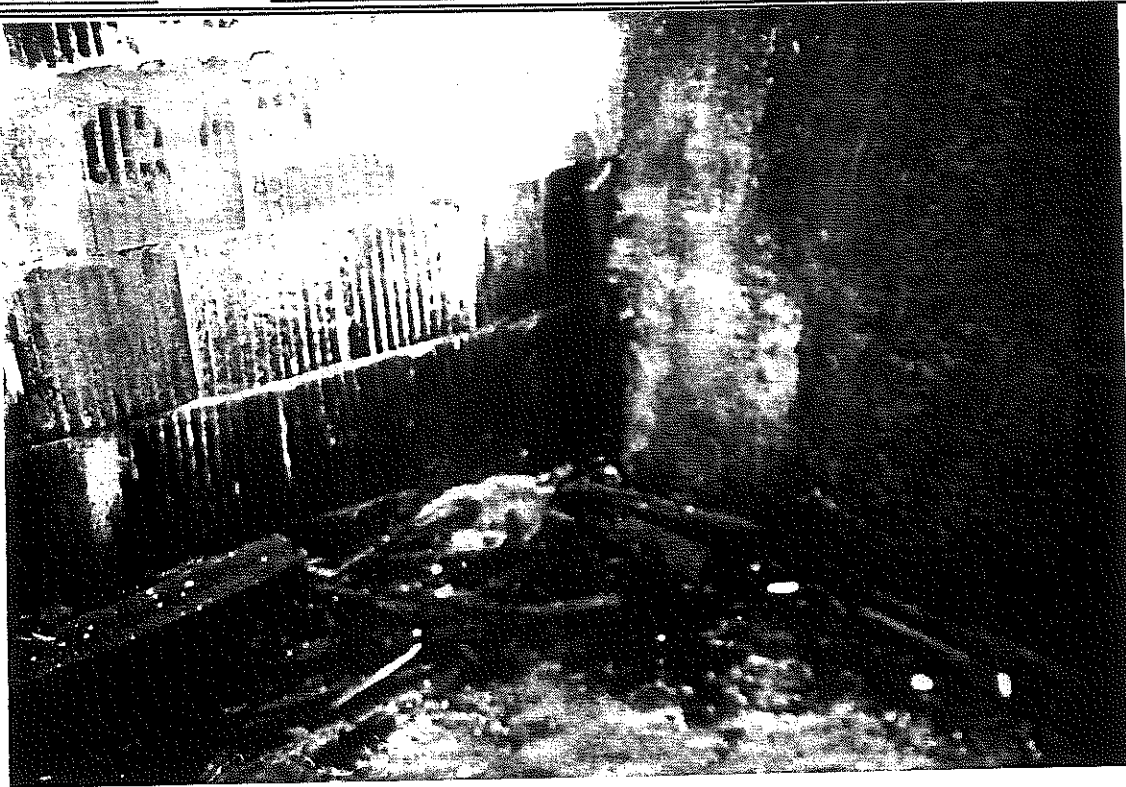
Comments: SW: Material from Building G migrating into Building H.

Roll #: 95-109 Photo #: 4

Illinois Environmental Protection Agency Photographs

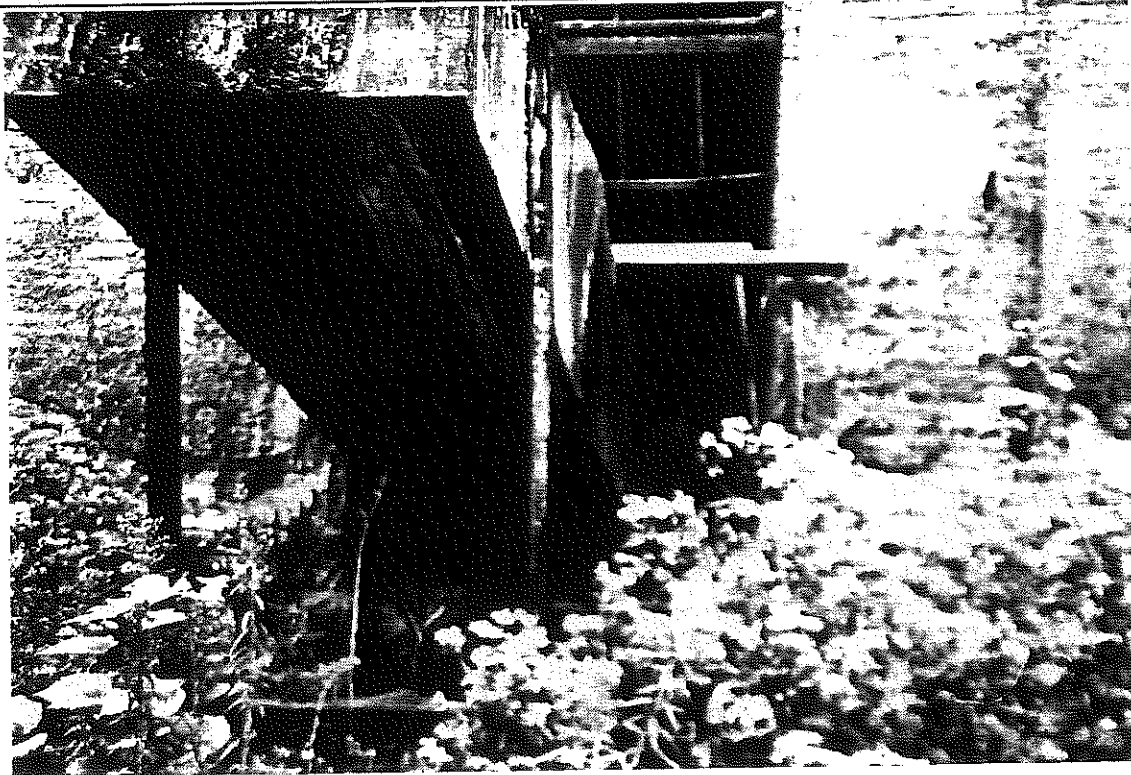
Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: NW: Material from Building G migrating into Building H.

Roll #: 95-109 Photo #: 5

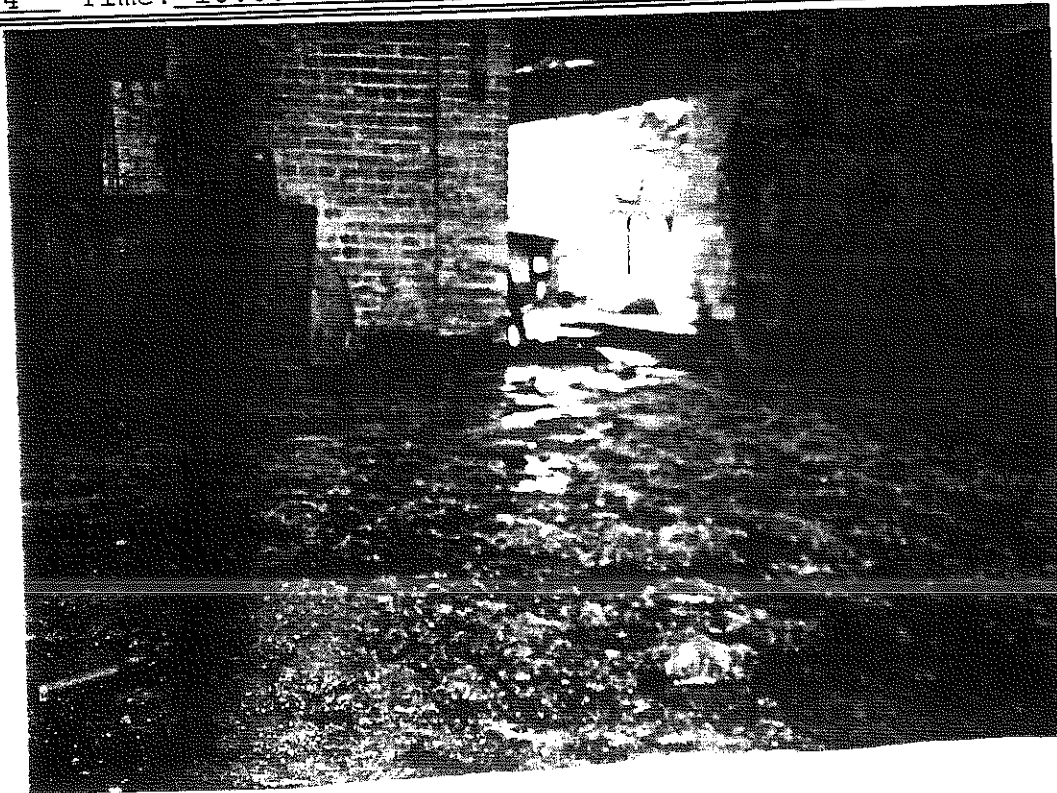


Comments: SE: Looking into Building F--tank like structure w/unknown

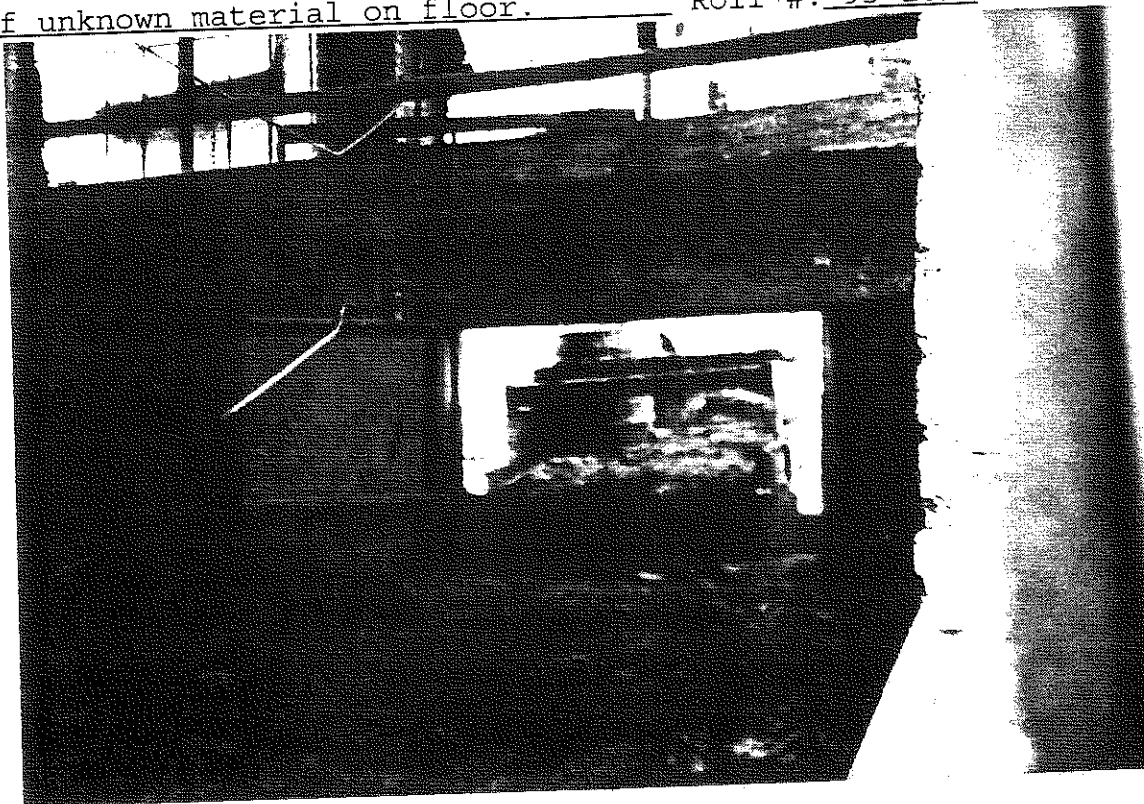
waste material hanging off edge. Roll #: 95-109 Photo #: 6

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: S: Foreground-Building F--Background-Building G. Approximately
2 feet of unknown material on floor. Roll #: 95-109 Photo #: 7



Comments: SW: Inside of Building F--Unknown material on floor.
Roll #: 95-109 Photo #: 8

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovaszny



Comments: N: Hardened spill surrounding a tote.

Roll #: 95-109 Photo #: 9



Comments: NW: Soil contamination west of tote storage.

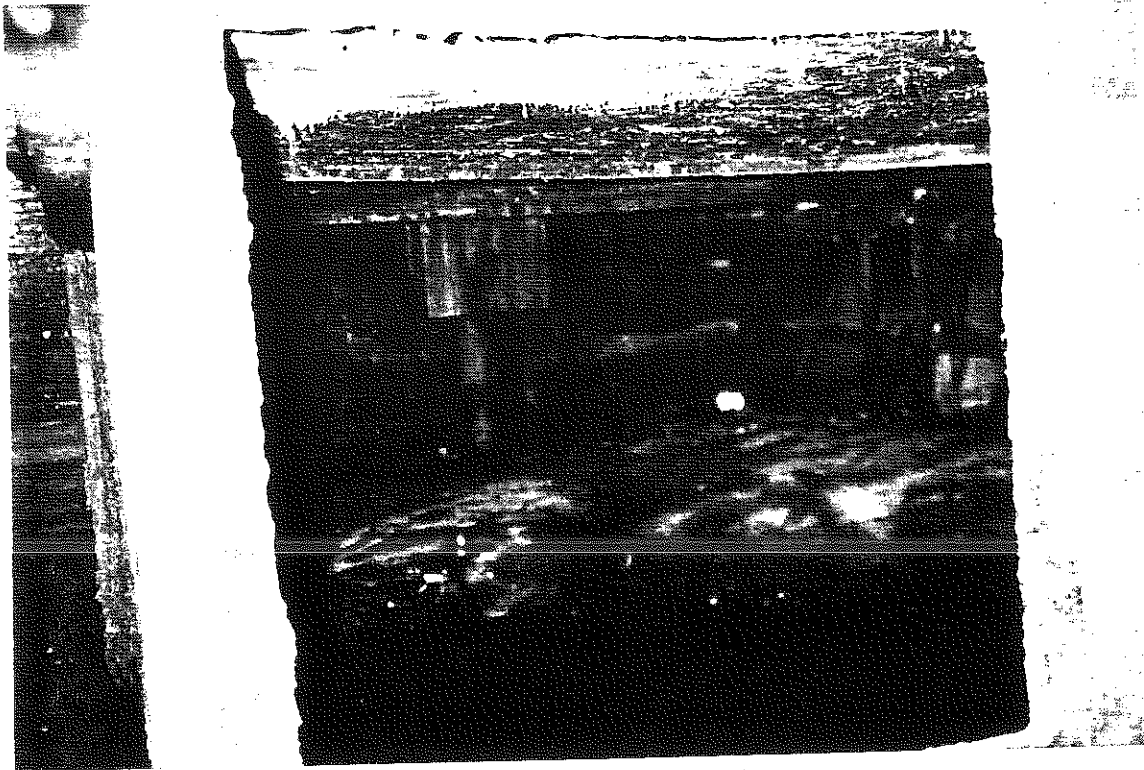
Roll #: 95-109 Photo #: 10

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

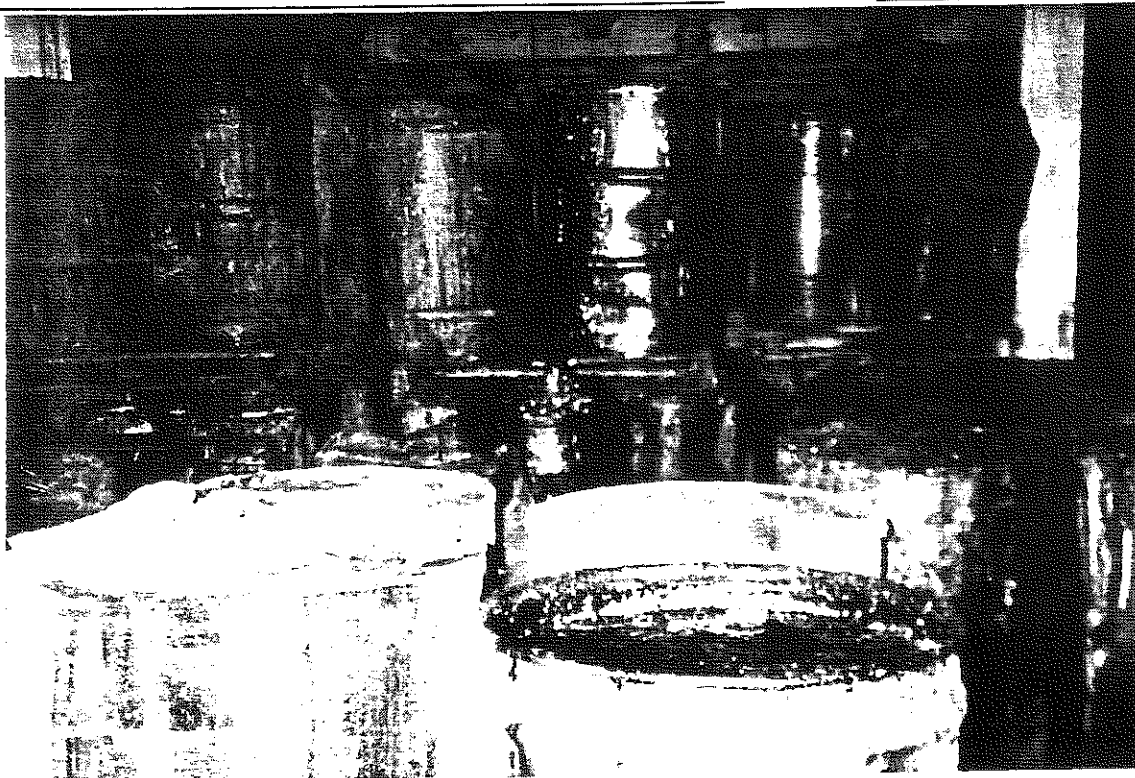
IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: SE: Material found in former processing tank in Building S.

Roll #: 95-109 Photo #: 11



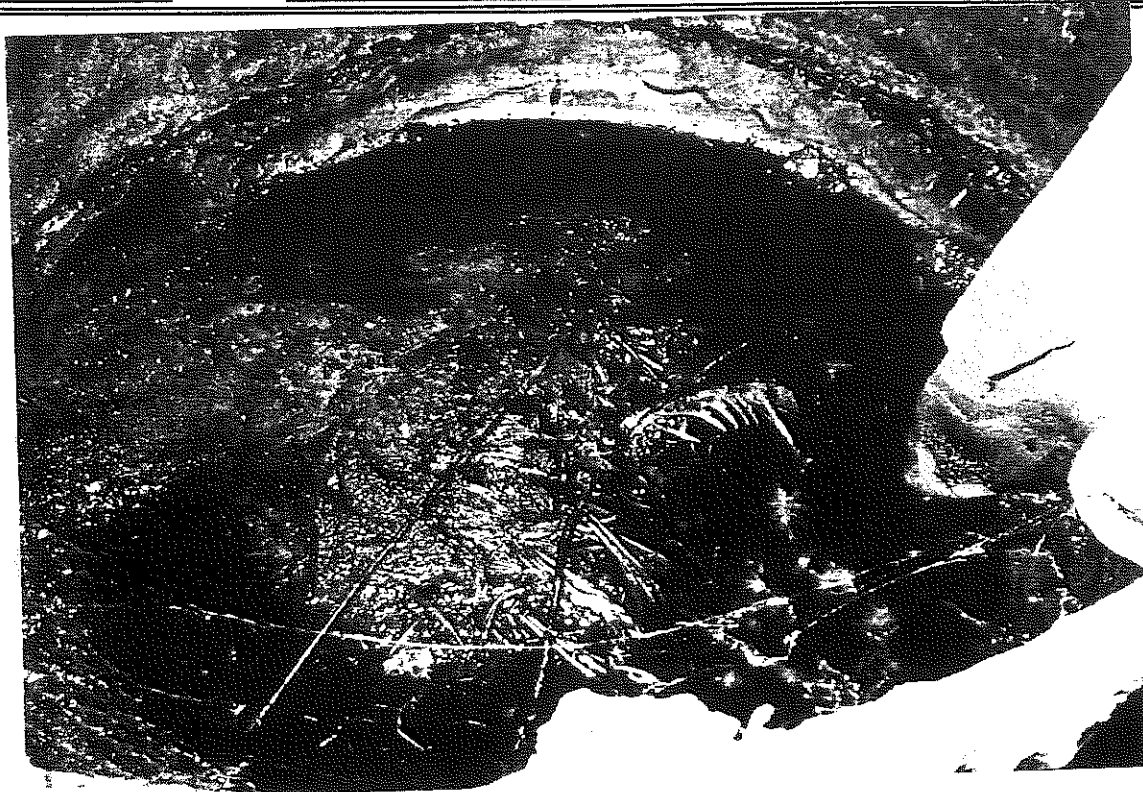
Comments: S: Building A--Drums in poor condition filled with grease or paint-supposedly usable material.

Roll #: 95-109 Photo #: 12

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: S: Contents of a drum with a dead animale inside--Building A.

Roll #: 95-114 Photo #: 13



Comments: W: Sump in painting area.

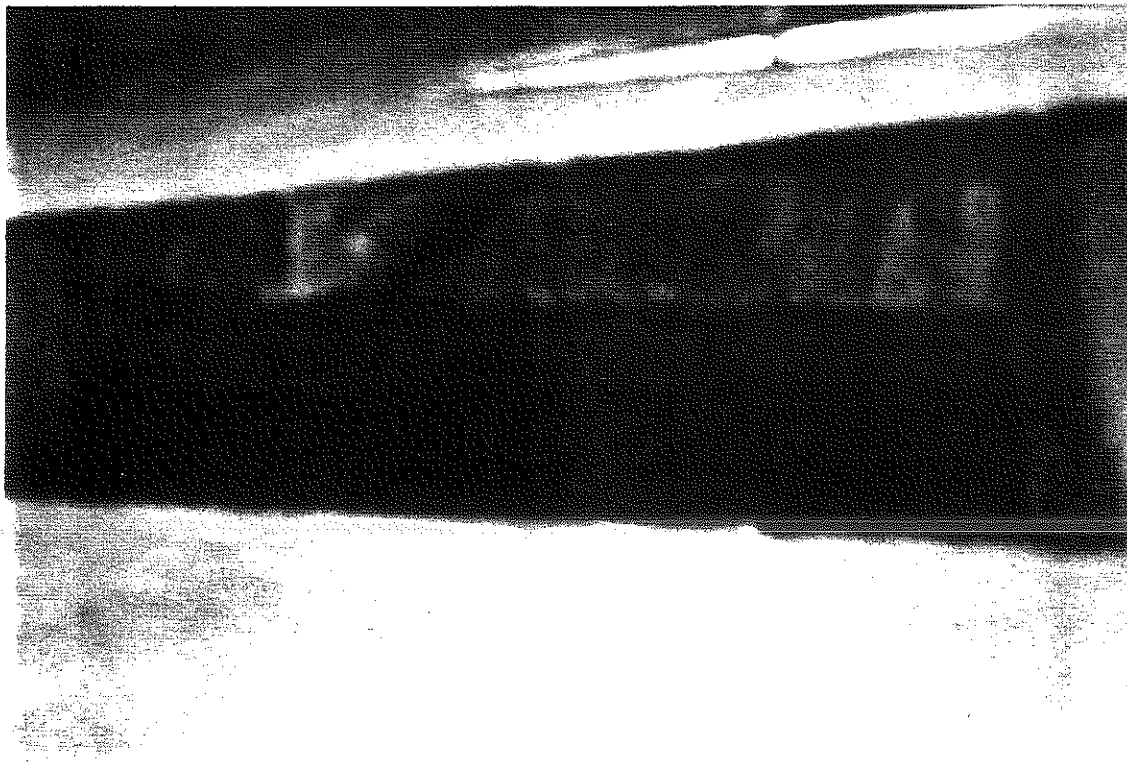
Roll #: 95-114 Photo #: 14

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: N: Sump in Building N- south of painting area.

Roll #: 95-114 Photo #: 15



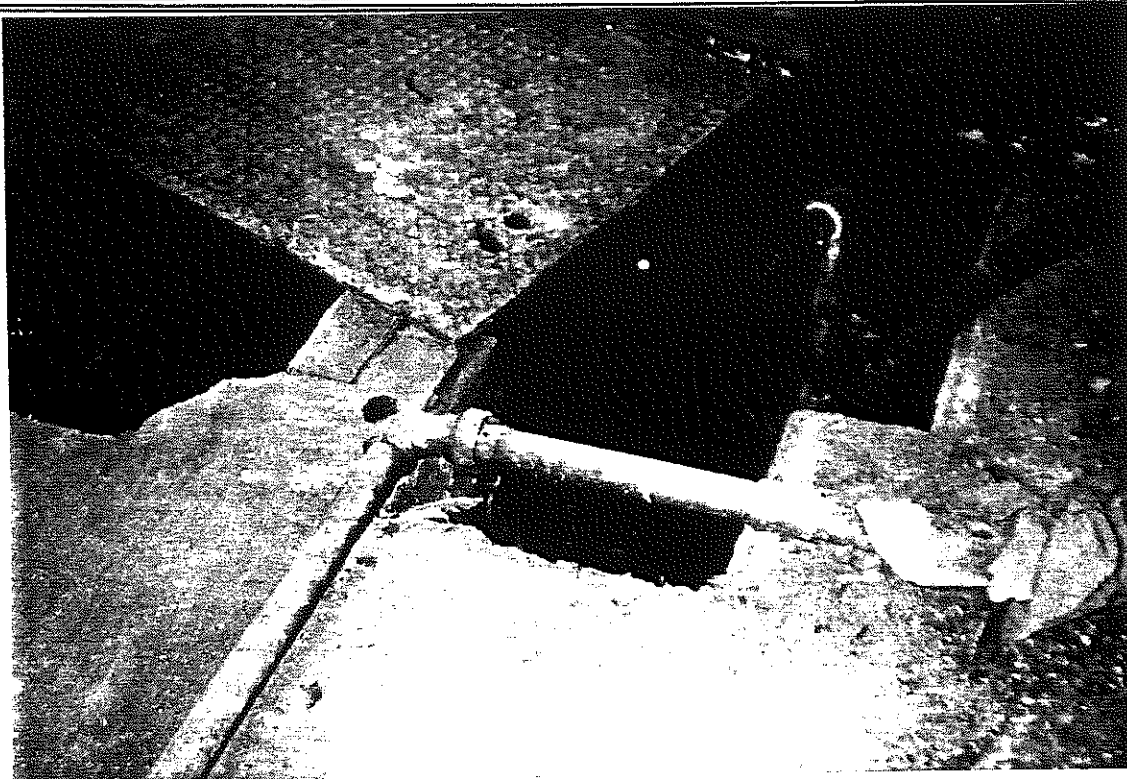
Comments: N: Paint residue on floor of painting area in Building N.

Roll #: 95-114 Photo #: 16

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 10-5-94 Time: 10:00 - 11:15 Photograph By: Tina Kovasznay



Comments: SE: Sump south of Building M--contents are pumped directly into
sewer. Roll #: 95-114 Photo #: 17

NO PHOTO

Comments: _____

Roll #: _____ Photo #: _____

1001
0311740003 10-5-94

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
Part 722: Standards Applicable to Generators of Hazardous Waste (> 1000 Kg/mo.)		
Subpart A: General		
Section 722.111: Hazardous Waste Determination		
722.111	Has the generator correctly determined if the solid waste(s) it generates is a hazardous waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____	<input checked="" type="checkbox"/> 722.111
	Have hazardous wastes been identified for purposes of compliance with Part 728? Yes _____ No <input checked="" type="checkbox"/> N/A _____	
808.121	Has the generator correctly determined if the solid waste(s) it generates is a special waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____	<input checked="" type="checkbox"/> 808.121
Section 722.112: USEPA Identification Numbers		
722.112(a)	Has the generator obtained a USEPA identification number? Yes _____ No _____ N/A _____	722.112(a)
722.112(c)	Has the generator offered its hazardous waste only to transporters or to treatment, storage or disposal facilities that have a USEPA identification number? Yes _____ No _____ N/A _____	722.112(c)
Subpart B: The Manifest		
Section 722.120: General Requirements		
722.120(a)	Does the facility manifest its waste off-site? Yes _____ No _____ N/A _____	722.120(a)
	If "No", proceed to Section 722.120(e).	
722.120(b)	Does the manifest designate a facility permitted to handle the waste? Yes _____ No _____ N/A _____	722.120(b)
722.120(d)	Has the generator shipped any waste that could not be delivered to the designated facility? Yes _____ No _____ N/A _____	722.120(d)
Section 722.121: Acquisition of Manifests		
Has the generator used:		
722.121(a)	- an Illinois manifest for wastes designated to a facility within Illinois? Yes _____ No _____ N/A _____	722.121(a)
722.121(b)	- a manifest from the State to which the manifest is designated? Yes _____ No _____ N/A _____	722.121(b)
	- an Illinois manifest if the State to which the waste is designated has no manifest of its own? Yes _____ No _____ N/A _____	
Section 722.122: Number of Copies		
722.122	Does the manifest consist of at least 6 copies? Yes _____ No _____ N/A _____	722.122
Section 722.123: Use of the Manifest		
For each manifest reviewed, has the generator:		
722.123(a)	- signed the certificate by hand? Yes _____ No _____ N/A _____	722.123(a)
	- obtained the handwritten signature and the date of acceptance by the initial transporter? Yes _____ No _____ N/A _____	
	- retained one copy as required by Section 722.140(a)? Yes _____ No _____ N/A _____	
	- apparently sent a copy (part 5 for the Illinois manifest) to the Agency within 2 working days? Yes _____ No _____ N/A _____	
722.123(b)	- has the generator apparently given the remaining copies to the transporter? Yes _____ No _____ N/A _____	722.123(b)

RCRA INSPECTION REPORT

[illegible]

OPERATOR

PERSON(S) INTERVIEWED

TITLE

PHONE #

INSPECTION PARTICIPANT(S)

AGENCY/TITLE**PHONE #**

PREPARED BY

AGENCY/TITLE**PHONE #**

SUMMARY OF APPARENT VIOLATIONS

[illegible]

Facility Name: IMI Industries

USEPA #: IL D097179204

IRPA #: 0311740003

WASTE DISPOSITION FORM

5-5-99

FORM

Waste Name (include haz & waste for which no determination has been made)

Generating Process (For waste gen. on site. N/A for TSD)

Date of Last Analysis

USEPA Haz Waste #

*On 8700-12

*On 3510-3

*19

*19

*19

On Annual Report for: (Circle if present; cross out if not present)

Amount on Site

Rate of Generation

Last manifested Shipment

Disposition

Waste in building N(1 of 4) ink and/or paint waste waste in sump in painting area in bldg Contaminated of spills coil grease, paint, etc. saw dust

Contaminated rainwater

5-25-96 D040

N/A

G

P

G

P

G

P

G

P

G

P

G

P

G

P

From a tot brought on-site for repair painting totes

N/A

?

N/A

G

P

G

P

G

P

G

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P

G

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G

P

clean up of spills coil grease, paint, etc.)

N/A

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N/A

G

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clean up of spills coil grease, paint, etc.)

N/A

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N/A

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clean up of spills coil grease, paint, etc.)

N/A

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N/A

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clean up of spills coil grease, paint, etc.)

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clean up of spills coil grease, paint, etc.)

N/A

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clean up of spills coil grease, paint, etc.)

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clean up of spills coil grease, paint, etc.)

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clean up of spills coil grease, paint, etc.)

N/A

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N/A

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G

P

*none submitted

- Mr. Uellman stated that it is still present in this area, although it was not observed.

- Some was placed b/w bld's to fill in low areas.

- Disposition of most of the waste is unknown

- varies w/ spillage or clean up activities

- never shipped off site

- Dumpster

- combined sewer

- varies depending on rain

- 1x gen.

- unknown

- 1x gen.

- varies depending on rain

- 1x gen.

- unknown

IWI Industries
0311740003 - ILD097179204
May 5, 1999

NARRATIVE

Prepared By: Tina Kovaszny

IWI Industries repairs portable tote tanks and also sells tote parts. According to Glen Wellman, President, there is no hazardous waste generated, stored, or disposed of on-site. **Mr. Wellman also stated that IWI no longer cleans out used tanks, apparently, the totes are cleaned out prior to arriving at IWI.** During this inspection, I discovered that the drummed material located in Building A is no longer on-site. Mr. Wellman and Mr. Ehrler stated that the material was used as a primer on totes. Despite this, IWI is still storing a vast amount of material on-site. Previously, Mr. Wellman stated that none of the material is waste and that it can be used in the future. According to Mr. Wellman, old paint is used as primer, or to paint buildings on site, and all grease on-site is new product (Grade 1 Lithium Grease) which can be sold. Material which appeared contaminated or unusable during the last inspection has since disappeared, although Mr. Wellman stated that it was all used as primer. During this inspection, Mr. Wellman stated that he no longer has any usable material on-site (except grease). This statement leads me to believe that the material still contained in buildings G and F are indeed waste. The following is an inventory of material found on-site. Because of the condition of the site, this inventory is not exact.

Building P

- 1) The 122 drums labeled grease which were observed in this area during the last inspection are no longer located here. According to Mr. Wellman and Mr. Ehrler, these drums have been moved to Building S
- 2) During past inspections, I observed contamination in the area along the north wall of this building. Stone was saturated with what appeared to be grease and/or oil and then covered with approximately 6" of saw dust. All of this material was removed. Mr. Wellman could not attest to the whereabouts of all of the waste, but stated that some of the waste was placed on the ground outside to raise low areas which will eventually be paved over with asphalt (photo 14). This material was to be containerized and disposed of as special waste at a facility which is permitted to accept it. Mr. Wellman was informed that if this waste was left in this area and covered with asphalt, he would be creating a landfill. During this inspection, I asked where the material which was observed on the ground outside was now. Both Mr. Ehrler and Mr. Wellman stated that the material was still on the ground in this area. I did not observe any material in this area. Currently, the north area of this building is filled with rainwater which is grossly contaminated with what appeared to be grease or oil (photos 2 & 3).
- 3) Material from building G is migrating into building P.
- 4) Approximately 100 gallons of ink or paint waste was observed in a vat during a previous inspection. According to Mr. Ehrler, **the waste was taken out of a tote which came from off-site.** Mr. Wellman stated that because the material was a waste, it would be disposed of as such. This material is no longer on-site, and Mr. Wellman stated that no waste has been shipped off site.

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Building G

No change since the last inspection (photos 5 & 6). Mr. Wellman stated that he has no more usable material on-site for priming totes, and that all grease is containerized. This would lead me to believe that the material on the floor of this building is indeed a waste.

Building H

No change since the last inspection (photo 4).

Building F

No change since the last inspection (photo 5 & 6). Mr. Wellman stated that he has no more usable material on-site for priming totes, and that all grease is containerized. This would lead me to believe that the material on the floor of this building is indeed a waste.

Building L

No evidence of waste in this building.

Building D

No evidence of waste in this building.

Building S

Drums from Building P have been moved into this building (photo 10). Besides this, the only change since the last inspection is a large pile of saw dust contaminated with grease/oil located in front of the tanks (photo 9). The sump and trench in this area are still filled with a black viscous material resembling grease/oil.

Building A

Approximately 50 totes - contents unknown. The 200 drums containing various materials are no longer on-site (photos 11 & 12). According to Mr. Wellman, the material in these drums was used as primer on totes even though the majority of this material appeared contaminated and unusable. No other changes since the last inspection.

Building O

No evidence of waste in this building.

Building N

A pile of saw dust contaminated with paint was dumped the ground inside this building (photo 13). More piles of contaminated saw dust are located in the north east corner of this building. According to Mr. Wellman and Mr. Ehrler, this saw dust is placed into the dumpster for disposal. No testing of waste is ever conducted, and no receipts or manifests are available.

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Building M

No change since the last inspection.

West of Building S

Soil contamination was observed (approximately 5' x 30') in the ditch west of the concrete pad (photo 7).

West of Building P

The soil contamination previously observed in the ditch west of the contaminated area in building P (approximately 5' x 30') was covered with soil. According to Mr. Ehrler, the company west of IWI filled in this area.

Hazardous Waste Units

- S01 - Container Storage Areas**
- Facility was found to be storing hazardous waste in containers throughout the facility.
- S02 - Tank Storage**
- Facility was found to be storing hazardous waste in tanks throughout the facility.

Areas of Concern Where Containers Are/Were Stored

- Building P:** The southwest corner of this building formerly contained 122 drums labeled grease and 100 gallons of ink/paint waste from totes brought in from off-site in a large open-top container. The grease was moved to building S, and the ink/paint waste disappeared.
- Building H:** The center of this building was used to store 4 drums of material.
- Building S:** Totes filled with grease are stored against the west wall. The southwest corner of the building previously contained collapsed drums labeled corrosive. Currently, 122 drums of grease are located here
- Building A:** The entire building formerly housed >200 drums. More than 50 totes area still stored in this building.
- Building O:** The building previously contained >15 totes along the south wall and 54 drums along north wall
- Building N:** The southern section of this building previously contained 2 drums labeled hydrofluoric acid; 1 drum and 1 partially filled tote of paint; and 3 drums, 5 pails and 1 vat of what may be grease.
- Outside, West of Bld G/F:** Location of a container filled with an unknown material.
- Outside West of Bld S:** Location of a tote filled with grease and a dumpster filled with an unknown waste.
- Outside South of Bld S:** The northeast corner of the courtyard was the previous location of 1 drum of paint waste.

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Areas of Concern Where Material is/was Stored in Tanks

Building G/F: The entire building has been considered a tank in the past. Approximately 2-3 feet of waste (per Mr. Wellman's recent statements) is covering the floor.

Outside Bld G: A black tank located here contains an unknown material.

Building S: The former process area held a tank which was used to clean out totes brought in from off-site. The tank was removed prior to the October 16, 1996 inspection. According to Mr. Ehrler, the sludge from this tank was disposed of into the sewer. This building also contains two tanks reaching from the floor to the ceiling containing unknown material. Between the tanks and the former process area lies a sump containing a viscous material resembling grease.

Building N: This building contains a sump in the painting area filled with paint waste. Also, one of the four sumps containing contaminated rainwater is located here (80,000 gallon total capacity). These sumps are filled with a hazardous waste.

Building M: This building houses sumps two, three and four mentioned above. These sumps are filled with a hazardous waste.

Open Dumping

West of Building S: A 5' x 30' area in the ditch west of the concrete pad is contaminated with what appears to be grease or oil. According to Mr. Wellman and Mr. Ehrler, contaminated water generated from the IWI facility is discharged to this area.

West Wall of Building H: Two areas are contaminated with material migrating from building G.

North Area of Bld P: The entire northern portion of building was saturated with grease/oil and then covered with saw dust. This material has been removed from this area, but the disposition of this waste is unknown (some was dumped between buildings). The area is currently grossly contaminated with grease or oil.

West of Building P: A 5' x 30' area in the ditch west of building P is contaminated with what appears to be grease or oil. According to Mr. Wellman and Mr. Ehrler, contaminated water generated from the IWI facility is discharged to this area. This area was recently covered with dirt.

Inside Building N: This is the former location of two piles of yellow paint residue scraped from inside of totes and dumped onto ground.

West of Building N: This is the former location of a pile of brown paint residue scraped from inside of tote with red liquid oozing from it onto ground.

"Courtyard Area": Special waste from the north area of building P was placed on the ground to "fill in low areas". According to Mr. Wellman and Mr. Ehrler, this waste is still present on the ground, but I did not observe it (photo 14). No receipts are available on-site.

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Additional Notes

IWI appears to be a full quantity generator of hazardous waste and a storage facility

Apparent Violations

Outstanding - Cited 10-16-96

- 722.134(a) - Hazardous waste accumulation tank is not labeled or marked clearly with the words, "Hazardous Waste", and the generator has not complied with Part 725 Subparts D and D and 725.116.
- (725.132) - No required equipment including internal and external alarms, communication devices, fire, spill, or decon equipment.
- (725.134) - No immediate access to alarm or emergency communication device.
- (725.137) - No arrangements with local authorities or hospitals.
- (725.151(a)) - No contingency plan.
- (725.155) - No emergency coordinator.
- (725.116(a)) - No personnel training.
- (725.116(d)) - No documentation of personnel training.

Outstanding - Cited 10-5-94

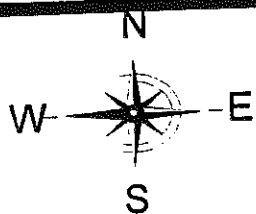
- 21(p)(1) - Causing or allowing litter (see open dump section above for details).
- 21(a) - Causing or allowing the open dumping of any waste (see open dump section above for details).

Outstanding - Cited 1-11-94

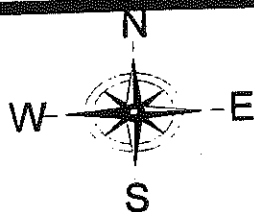
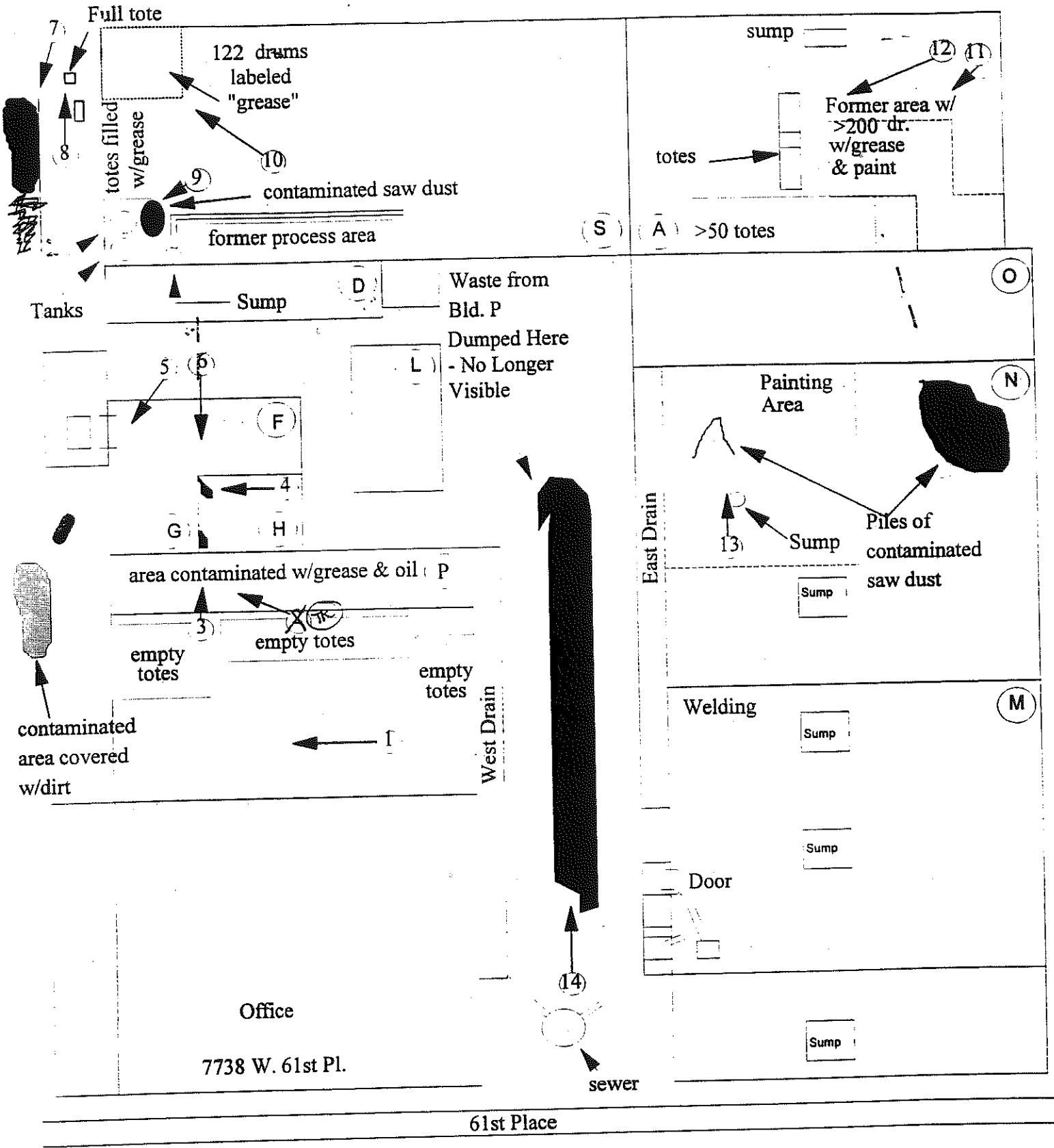
- 808.121(a) - IWI has not determined whether the paint chips and paint scrapings found in the dumpster in building M are a special waste. Also include ink/paint waste, paint waste in sump in building N, and contaminated stone/rock and sawdust discovered during 10-16-96 inspection. **Add piles of contaminated saw dust observed during this inspection.**

Outstanding - Cited 11-24-92

- 722.111 - IWI must make a waste determination on any materials which appear to be waste. This includes the ink/paint waste found on-site during the 10-16-96 inspection and paint waste in sump in painting area of building N. **Add piles of contaminated saw dust observed during this inspection.**



Not to scale



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Not to scale

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

IEPA #: 0311740003

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovasznay



Comments: W: Area where drums of grease were formerly stored.

Roll #: 99-315 Photo #: 1

Photo did not develop

Comments: NW: Area contaminated with grease/oil.

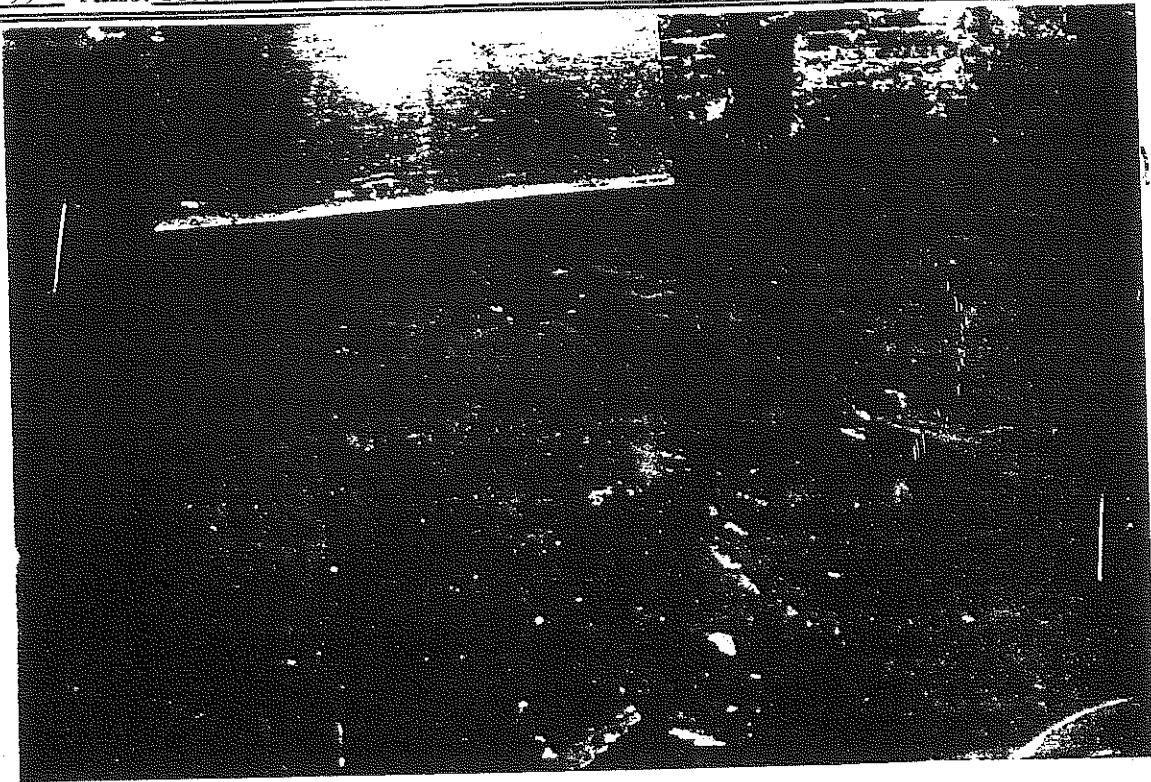
Roll #: 99-315 Photo #: 2

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

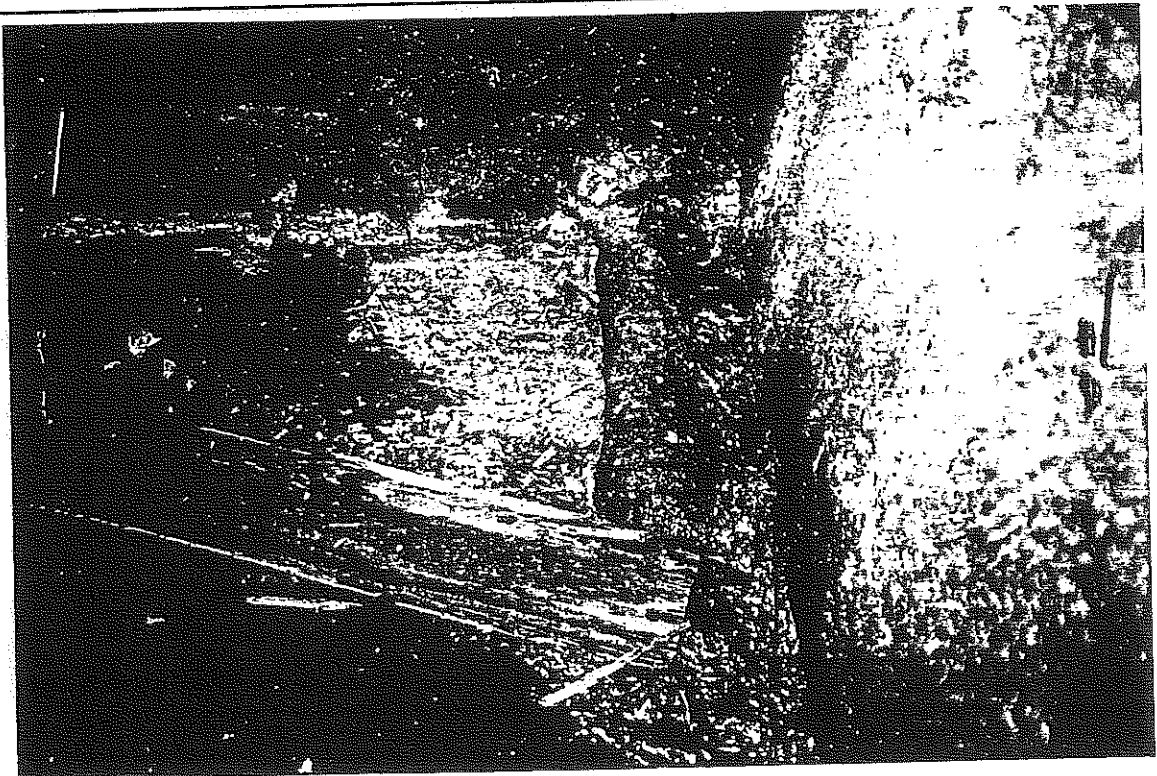
IEPA #: 0311740003 - -

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovaszny



Comments: N: Close up of photo #2.

Roll #: 99-315 Photo #: 3

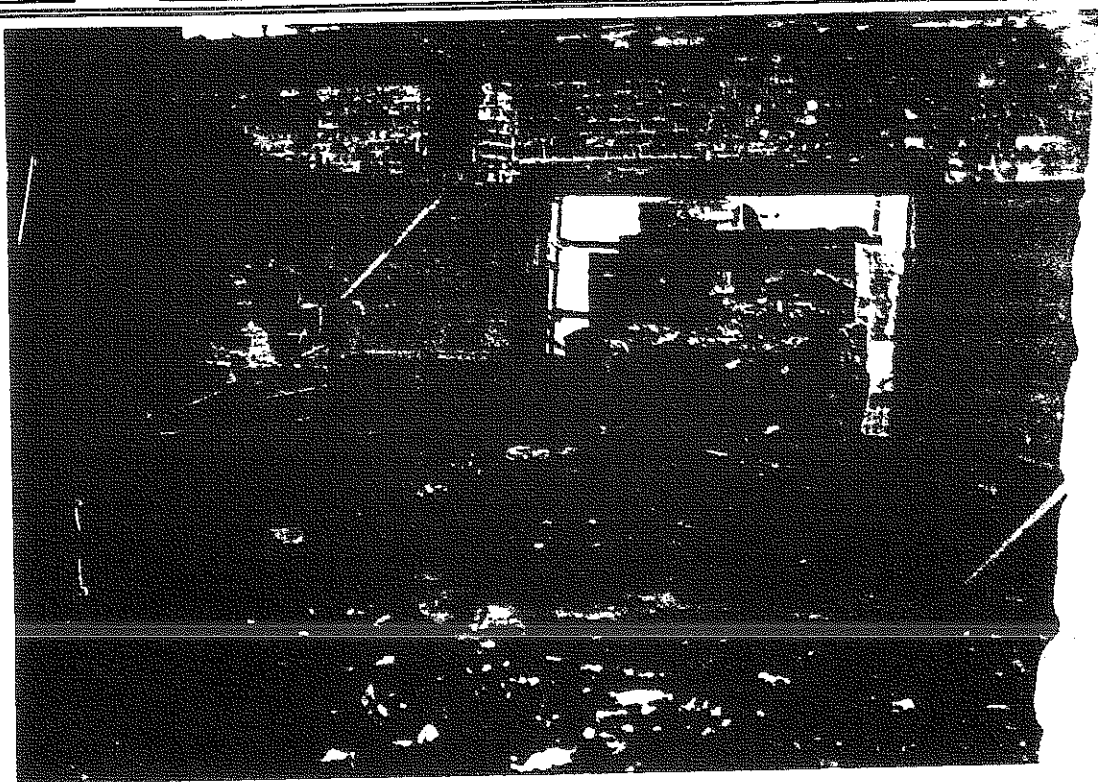


Comments: W: Material from building G migrating into building H.

Roll #: 99-315 Photo #: 4

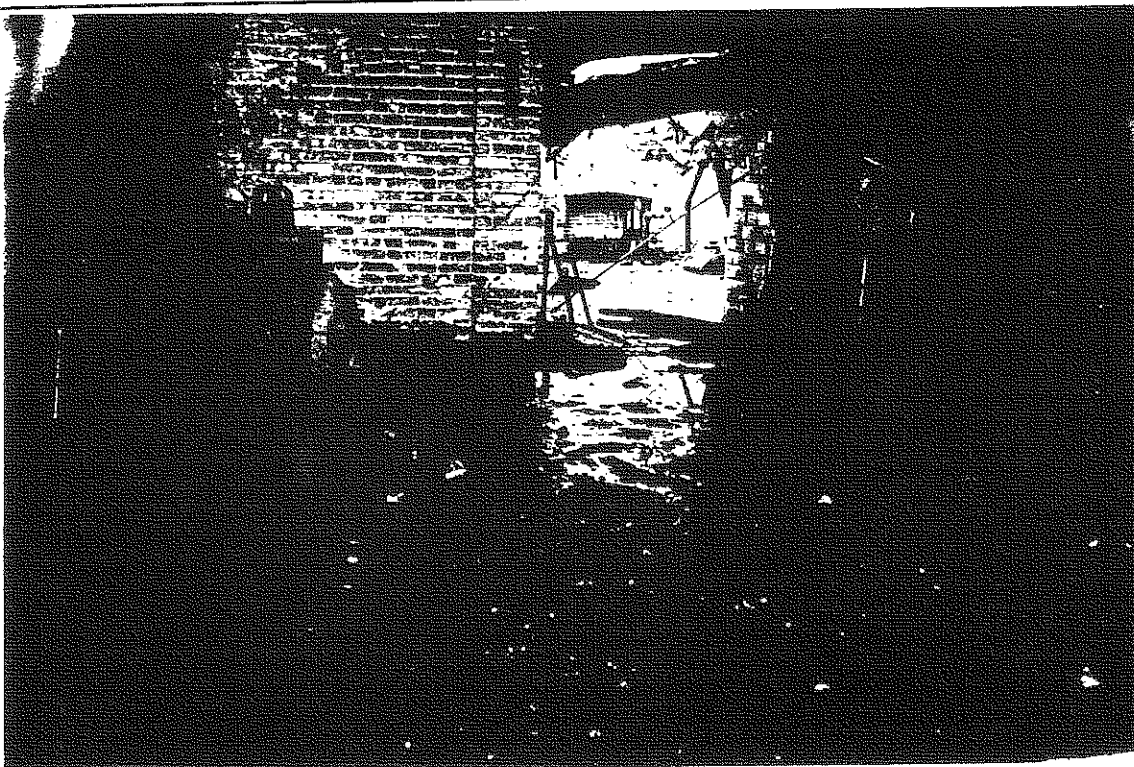
Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovasznay



Comments: SW: Foreground - building F--background-building G. Floor covered w/approx. 2' of unknown waste.

Roll #: 99-315 Photo #: 5



Comments: S: Same as photo 5.

Roll #: 99-315 Photo #: 6

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

IEPA #: 0311740003 - -

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovasznay



Comments: S: Contaminated soil in ditch west of facility.

Roll #: 99-315 Photo #: 7



Comments: N: Tote full of an unknown material.

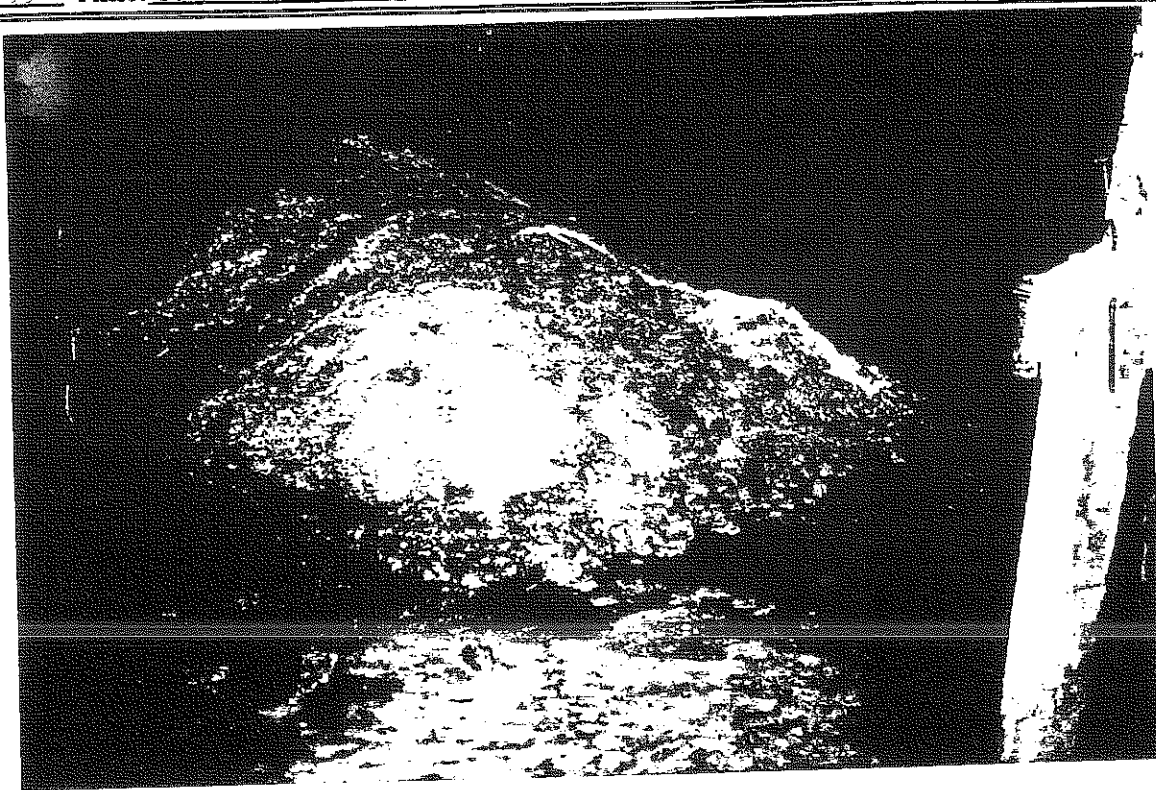
Roll #: 99-315 Photo #: 8

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

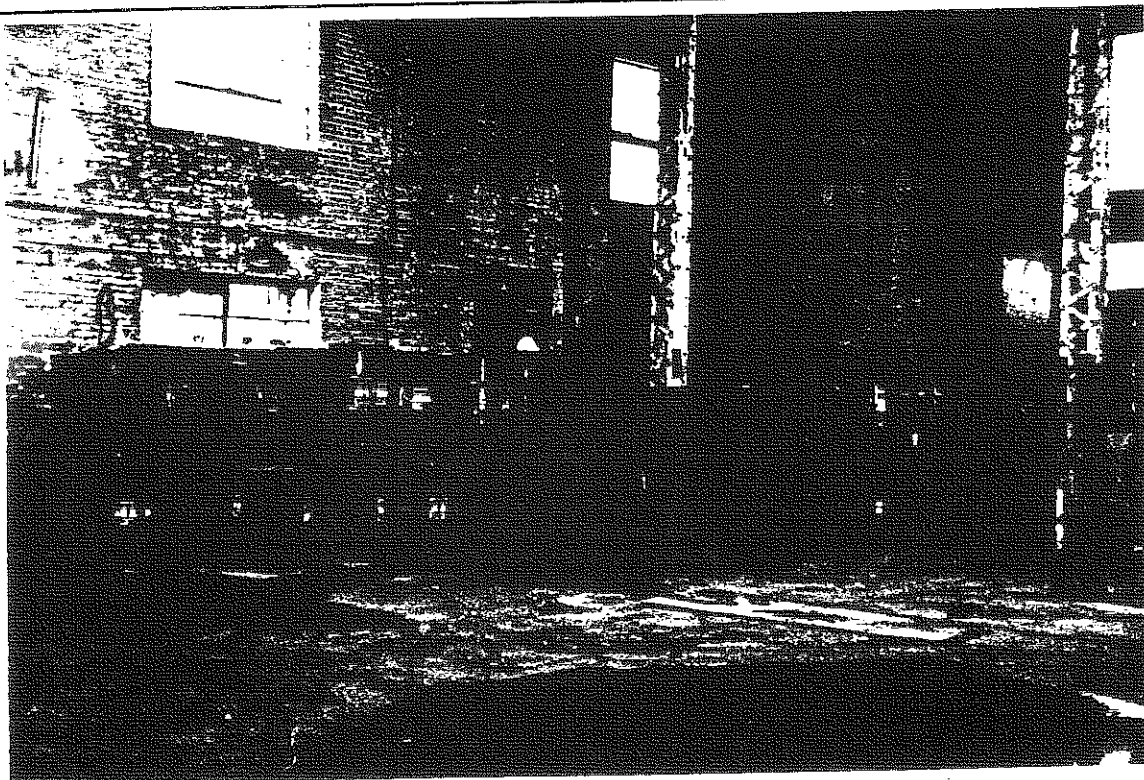
IEPA #: 0311740003

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovasznay



Comments: SW: Saw dust contaminated with grease/oil.

Roll #: 99-315 Photo #: 9



Comments: NW: 122 drums of grease moved from building P to this location.

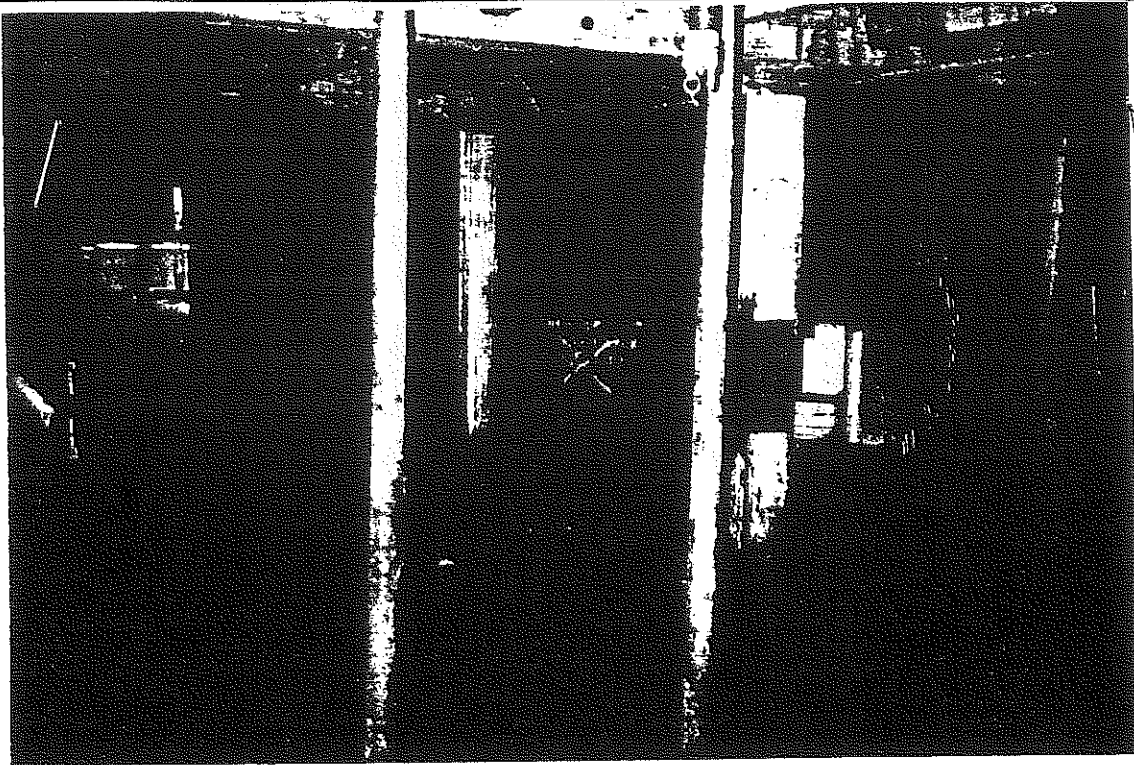
Roll #: 99-315 Photo #: 10

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

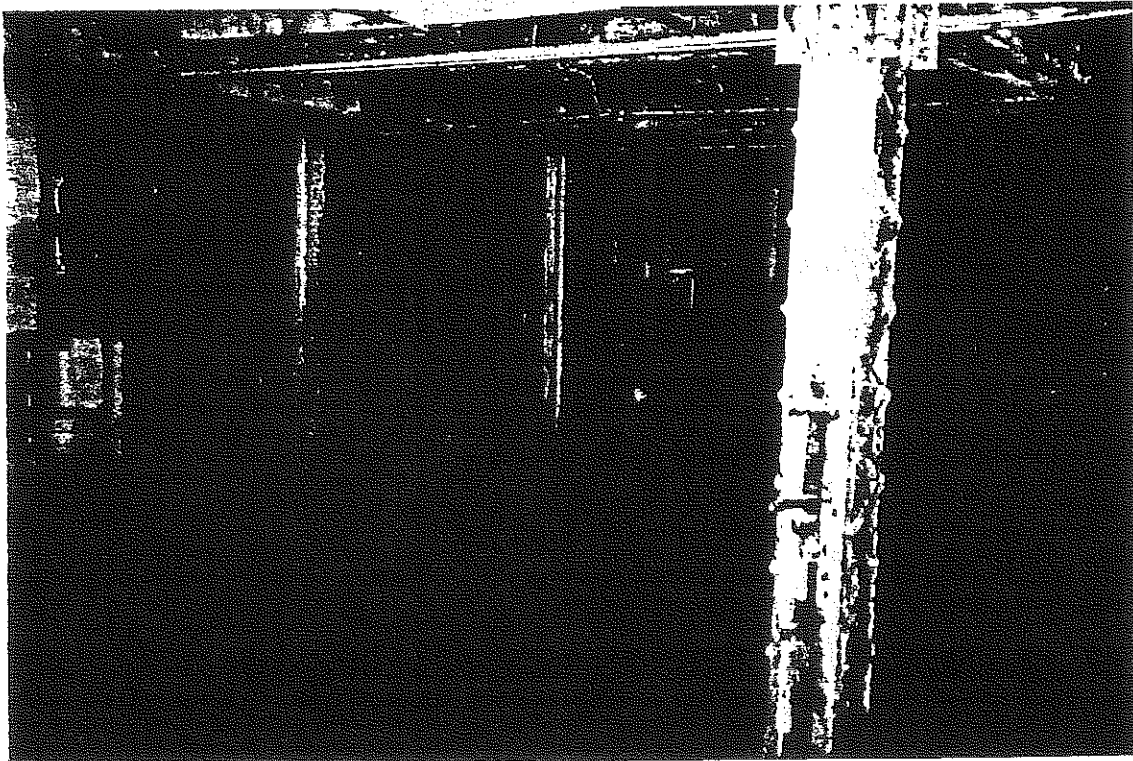
IEPA #: 0311740003 - -

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovasznay



Comments: SW: Building A - Drums gone.

Roll #: 99-315 Photo #: 11



Comments: SW: Building A - drums gone.

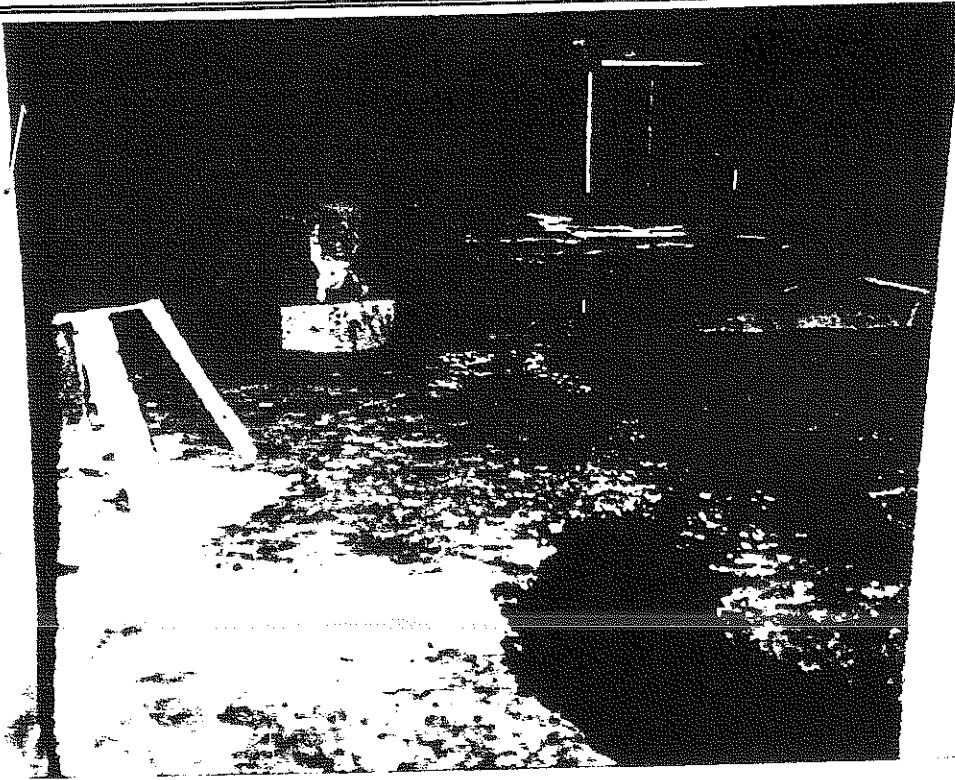
Roll #: 99-315 Photo #: 12

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries

IEPA #: 0311740003

Date: 5-5-99 Time: 10:00 a.m. - 10:30 a.m. Photograph By: Tina Kovaszny



Comments: N: Sump and pile of saw dust contaminated w/paint.

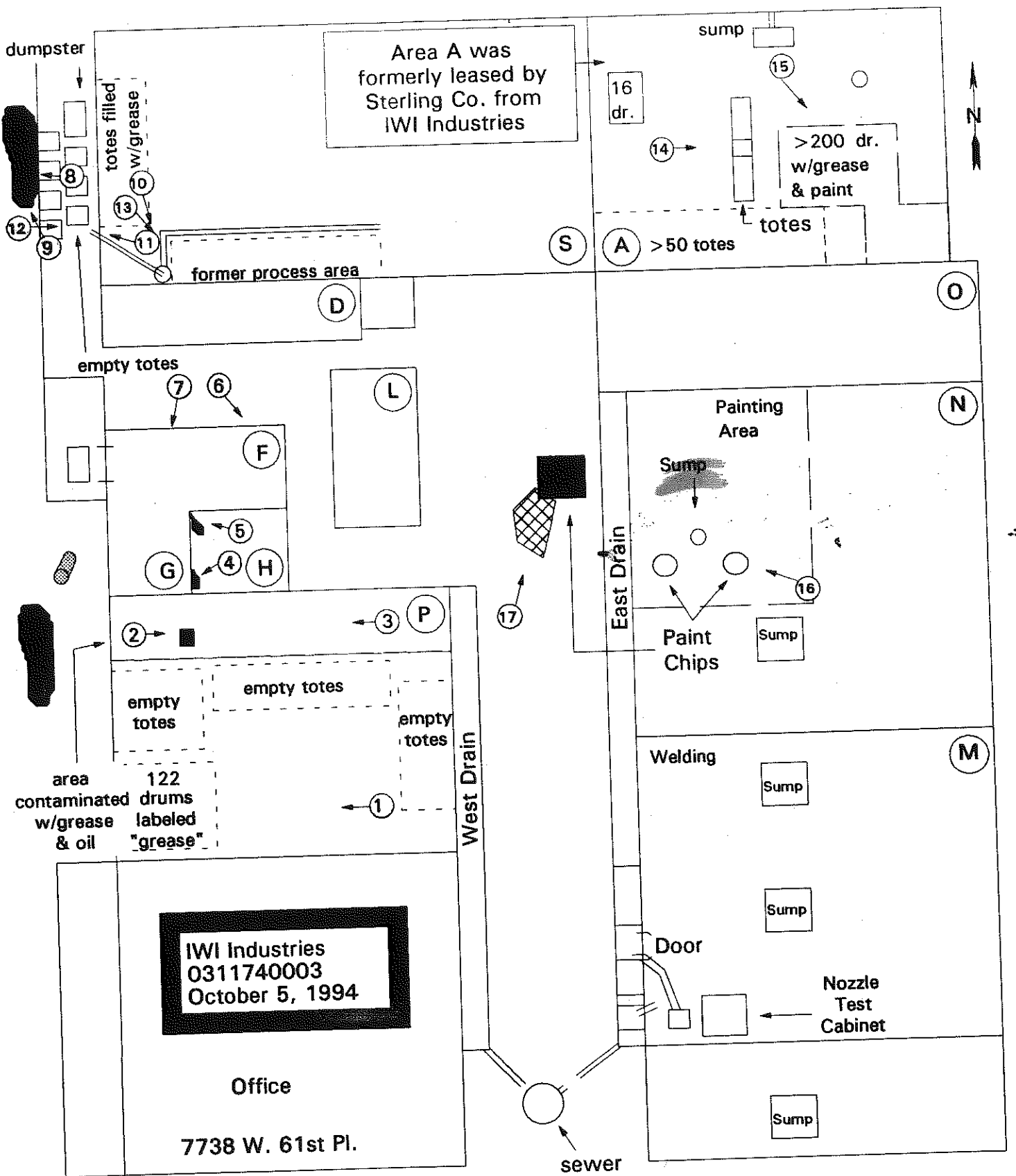
Roll #: 99-315 Photo #: 13



Comments: N: Special waste removed from building P and placed on ground outside to fill in low area.

Waste is still here according to Mr. Wellman. None observed.

Roll #: 99-315 Photo #: 14



61st Place

Not to scale

OWNER

OPERATOR

Name Glen Wellman	Name IWI Industries
Address 7738 W 61 st Place	Address - same -
City Summit	City
State IL Zip 60501	State Zip
Phone # 708-458-8700	Phone #

PERSON(S) INTERVIEWED

TITLE

PHONE #

Glen Wellman	President	708-458-8700
Dan Ehrler	Production Foreman	

INSPECTION PARTICIPANT(S)**AGENCY/TITLE****PHONE #**

Tina Kovaszna y	IEPA/EP S	708-338-7900
Bernard Murphy	AGO/AAG	312-814-3000
Peter Orlinsky	IEPA/DLC	708-338-7900
Don Gimbel	IEPA/DLC	"

PREPARED BY

AGENCY/TITLE**PHONE #**

Tina Kovasznay	LEPA-EPS	708-338-7900
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SUMMARY OF APPARENT VIOLATIONS

[illegible]

Area	Class	Section
Cited	10-5-94	
	21(p)(1)	
	21(a)	
Cited	1-11-94	
	808.121(a)	
Cited	11-24-92	
GRR	1	722.111

[illegible]

WASTE DISPOSITION FORM

Facility Name: 1w1 Industries

USEPA #: IL D 0 9 7 1 7 9 2 0 4

IEPA #: 0 3 1 1 7 4 0 0 0 3

10-16-96

Waste Name (include haz & waste for which no determination has been made)	Generating Process (For waste gen. on site, N/A for TSD)	Date of Last Analysis	USEPA Haz Waste #	On Annual Report for: (Circle if present; cross out if not present)										Rate of Generation	Last manifested Shipment	Disposition	
				*On 8700-12		*On 3510-3		*19		*19		*19					
				G	F	G	F	G	F	G	F	G	F				
Sump Water in N(1044) Building and/or Ink and/or Paint waste	Contaminated Rainwater	5-25-96	D040	N/A*		G	F	G	F	G	F	G	F	~ 80,000 gals.	N/A	combined sewer	
Waste in painting area in bld N	From a tote brought on site for repair	N/A	?	N/A*		G	F	G	F	G	F	G	F	~ 100 gals.	never shipped off-site	→	
	Painting Totes	N/A	?	N/A*		G	F	G	F	G	F	G	F	? Don't know how deep	varies w/painting	never shipped	→
Non-Haz rock + stone covered w/ grease/oil	from clean up of north area of bld 2	5-25-96	N/A			G	F	G	F	G	F	G	F	?	1x gen.	N/A	Disposition of most of the waste is unknown
						G	F	G	F	G	F	G	F				Some was placed between bld's to fill in low areas.
						G	F	G	F	G	F	G	F				
						G	F	G	F	G	F	G	F				
						G	F	G	F	G	F	G	F				

* - none submitted

IWI Industries
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October 16, 1996

NARRATIVE

Prepared By: Tina Kovasznay

IWI Industries manufactures and repairs portable tote tanks and also sells tote parts. According to Glen Wellman, President, there is no hazardous waste generated, stored, or disposed of on-site. **Mr. Wellman stated that IWI no longer cleans out used tanks.** The totes are cleaned out before arriving at IWI. During the inspection, it was discovered that IWI is storing a vast amount of material on-site. Mr. Wellman claims that the material is not a waste and can be used in the future. According to Mr. Wellman, old paint is used as primer, or to paint buildings on site, and all grease on-site is new product (Grade 1 Lithium Grease) which can be sold. There has been a substantial decrease in the amount of drums observed on-site since my first inspection. Material which appeared contaminated or unusable during the last inspection continues to be stored on-site. The following is an inventory of material found on-site. Because of the condition of the site, this inventory is not exact.

Building P

- 1) approximately 122 drums labeled grease
- 2) empty totes
- 3) during the last inspection, the stone in the area along the north wall was saturated with what appeared to be grease and/or oil and then covered with approximately 6" of saw dust - all of this material has been removed (photo 2) - Mr. Wellman could not attest to the whereabouts of all of the waste, but stated that some of the waste was placed on the ground outside to raise low areas which will eventually be paved over with asphalt (photo 3) - this material was to be containerized and disposed of as special waste to a facility which is able to accept it - Mr. Wellman was informed that if this waste is left in this area and covered with asphalt, he would be creating a landfill
- 4) material from building G is migrating into building P
- 5) approximately 100 gallons of ink or paint waste was observed in a vat (photo 1) - according to Mr. Ehrler, **the waste was taken out of a tote which came from off-site** - Mr. Wellman stated that because the material is a waste, it will be disposed of as such

Building G

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building (photo 5). This building has holes in the south and east walls which are allowing the material to migrate into buildings P and H. According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 17 years.

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Building H

Waste from building G is migrating into this building (photo 4).

Building F

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building (photo 5). This building has an opening on the west wall which appears to have been used to dump the waste into the building. According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 17 years.

Building L

No evidence of waste in this building.

Building D

No evidence of waste in this building.

Building S

Numerous totes filled with grease. Location of former process area where totes were emptied and cleaned out. Tank was filled with what appears to be paint waste. This tank was recently removed and cut up. According to Mr. Wellman and Mr. Ehrler, the sludge observed in the tank "went down the drain". Because of recent rains, and the fact that the roof on this building is in very poor condition, contaminated water was present in the trench surrounding the process tank. The water flows to a sump, and was previously discharged to the ditch on the west side of the property. The sump is currently filled with a black viscous material resembling grease. During the 1-11-94 inspection, this building also contained 2-30 gallon fiber drums which had completely collapsed, were open, and contained a white solid. One of the drums was labeled "corrosive solid NOS - corrosive material UN1759". These drums were not on-site during the June, 1995 inspection, and Mr. Ehrler stated that they had been thrown into the dumpster. Two large tanks are also located in this building - contents unknown.

Building A

Approximately 50 totes - contents unknown. Approximately 200 drums containing various materials (photo 8). Pump located along north wall with a pipe leading to it - filled with unknown liquid material. The majority of the drums in this area are in very poor condition and left open. It appears as if waste has been removed from this building. Although the majority of the material in these drums appears contaminated and unusable, Mr. Ehrler and Mr. Wellman claim that waste paint is being reused as primer on totes and to paint buildings, and grease is sellable. Materials in this building have not been segregated.

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Building O

No evidence of waste in this building.

Building N

Painting area with a substantial amount of paint residue on the ground. The sump in this area is full of an unknown liquid and, according to Mr. Ehrler, is pumped to the sewer as needed. A second, larger sump is located just south of the painting area and also contains an unknown liquid which travels south through a second, third, and fourth sump from which it is discharged to the sewer once a week (the entire system holds 80,000 gallons of water according to Mr. Wellman). The water from the large sumps was analyzed and was proven to be hazardous (trichloroethylene - D040). Although Mr. Ehrler and Mr. Wellman both stated that all totes come to the facility empty, there were piles of dried paint waste found on site during the June, 1995 inspection. Mr. Ehrler stated that these piles are generated from cleaning out totes. He also stated that the material is placed into drums and shipped back to the customer. When asked if invoices for these activities were kept, Mr. Wellman stated that they were, but were not available. During this inspection, the paint chips were not observed, and no explanation was given for their whereabouts.

Building M

Area where production occurs (welding area) and where finished totes are stored. Location of sumps 2, 3, and 4. A pipe leading from sump 4 to the east ditch is used to pump water from the sump into the ditch which is connected to the sewer. The water from these sumps was tested by Mr. Wellman and found to be hazardous for trichloroethylene.

West of Building S

Soil contamination was observed (approximately 5' x 30') in the ditch west of the concrete pad. According to Mr. Ehrler and Mr. Wellman, water from building S, which appears to be contaminated, was discharged to this ditch which is apparently railroad property.

West of Building P

Soil contamination was observed (approximately 5' x 30') in the ditch west of the contaminated area in building P. According to Mr. Wellman, the contaminated area in building P was filled in with saw dust so that water contaminated with oil from this area will flow out to the ditch which is apparently railroad property.

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Hazardous Waste Units

- S01 - **Container Storage Areas**
- Facility was found to be storing hazardous waste in containers throughout the facility during a May 15, 1985 inspection. Sampling conducted in August, 1984 proved waste on-site to be hazardous.
- S02 - **Tank Storage**
- Facility was found to be storing hazardous waste in tanks throughout the facility during a May 15, 1985 inspection. Sampling conducted in August, 1984 proved waste on-site to be hazardous.

Areas of Concern Where Containers Were Stored

- Building P: - southwest corner - 122 drums labeled grease
- 100 gallons of ink/paint waste from totes brought in from off-site in a large open-top container
- Building H: - center of building - 4 drums previously stored here
- Building S: - against west wall - totes filled with grease
- southwest corner of building previously contained collapsed drums labeled corrosive
- Building A: - entire building - >50 totes, >200 drums
- Building O: - southwest corner - previously contained >15 totes along south wall and 54 drums along north wall
- Building N: - south section of building previously contained paint waste and drums labeled hydrofluoric acid; 3 drums, 5 pails and 1 vat of what may be grease; and 1 drum and 1 partially filled tote of paint
- Outside Bld G/F:- west side of building - previous location of a container with unknown material
- Outside Bld S: - west side of building - previous location of tote filled with grease and dumpster filled with an unknown waste
- Outside Bld O: - northeast corner of courtyard - previous location of 1 drum of paint waste

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Areas of Concern Where Material is Stored in Tanks

Building G/F: - entire building has been considered a tank--
approximately 2-3 feet of waste covering floor
Outside Bld G: - black tank containing unknown material
Building S: - former process area - tank formerly used
to clean out totes brought in from off-site -
removed prior to October 16, 1996 inspection -
sludge put into sewer
- two tanks reaching from the floor to the
ceiling containing unknown material
- sump near southwest corner of building
containing a viscous material resembling
grease
Building N: - sump in painting area filled with paint waste
- sump one of four (80,000 gallon total capacity)
- **filled with a hazardous waste**
Building M: - sumps two, three and four - **filled with a
hazardous waste**

Open Dumping

West of Building S: a 5' x 30' area in ditch west of the
concrete pad which is contaminated with
what appears to be grease or oil -
according to Mr. Wellman and Mr. Ehrler,
contaminated water generated from the IWI
facility is discharged to this area
West Wall of Building H: two areas contaminated with material
migrating from building G
North Area of Bld P: entire northern portion of building was
saturated with grease/oil and then
covered with saw dust - material has been
removed from this area - **disposition of
this waste is unknown (some was dumped
between buildings)**
West of Building P: a 5' x 30' area in ditch west of building
P which is contaminated with what appears
to be grease or oil - according to Mr.
Wellman and Mr. Ehrler, contaminated
water generated from the IWI facility is
discharged to this area
Inside Building N: two piles of yellow paint residue scraped
from inside of totes and dumped onto
ground - **no longer on site**
West of Building N: pile of brown paint residue scraped from
inside of tote with red liquid oozing
from it onto ground - **no longer on site**
"Courtyard Area": **Special waste from north area of building
P was placed on the ground to "fill in
low areas"**

IWI Industries
0311740003 - ILD097179204
October 16, 1996

Additional Notes

This facility was referred to OSHA and to MWRD for further investigation.

IWI appears to be a full quantity generator or hazardous waste. The facility was also designated as a storage facility in 1985, and since the condition of the facility has remained virtually unchanged, it must still be designated as such.

Apparent Violations

New Violations

- 722.134(a) - Hazardous waste accumulation tank is not labeled or marked clearly with the words, "Hazardous Waste", and the generator has not complied with Part 725 Subparts C and D and 725.116.
- (725.132) - No required equipment: internal, external alarms or communication devices, fire, spill, or decontamination equipment
- (725.134) - No immediate access to alarm or emergency communication device
- (725.137) - No arrangements with local authorities or hospitals
- (725.151(a)) - No contingency plan
- (725.155) - No emergency coordinator
- (725.116(a)) - No personnel training
- (725.116(d)) - No documentation of personnel training

Outstanding - Cited 10-5-94

- 21(p)(1) - Causing or allowing litter (see open dump section above for details).
- 21(a) - Causing or allowing the open dumping of any waste (see open dump section above for details).

Outstanding - Cited 1-11-94

- 808.121(a) - IWI has not determined whether the paint chips and paint scrapings found in the dumpster in building M are a special waste. Also include ink/paint waste, paint waste in sump in building N, and contaminated stone/rock and sawdust discovered during 10-16-96 inspection.

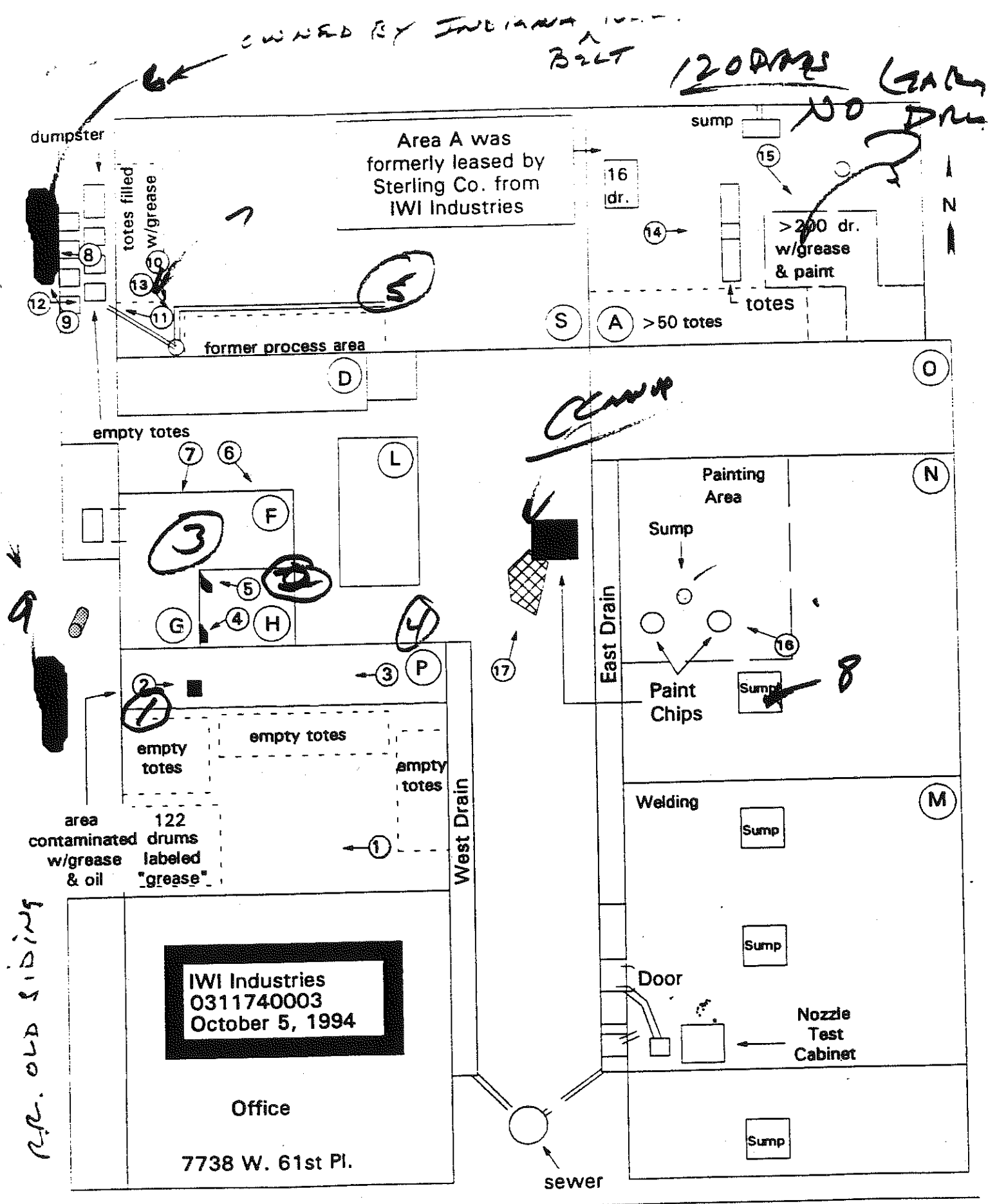
Outstanding - Cited 11-24-92

- 722.111 - IWI must make a waste determination on any materials which appear to be waste. This includes the ink/paint waste found on-site during the 10-16-96 inspection and paint waste in sump in painting area of building N.

Submitted by
Mr Wellman
during the
10-16-96 inspection
to try and
clarify where
samples were
taken by
Heritage.

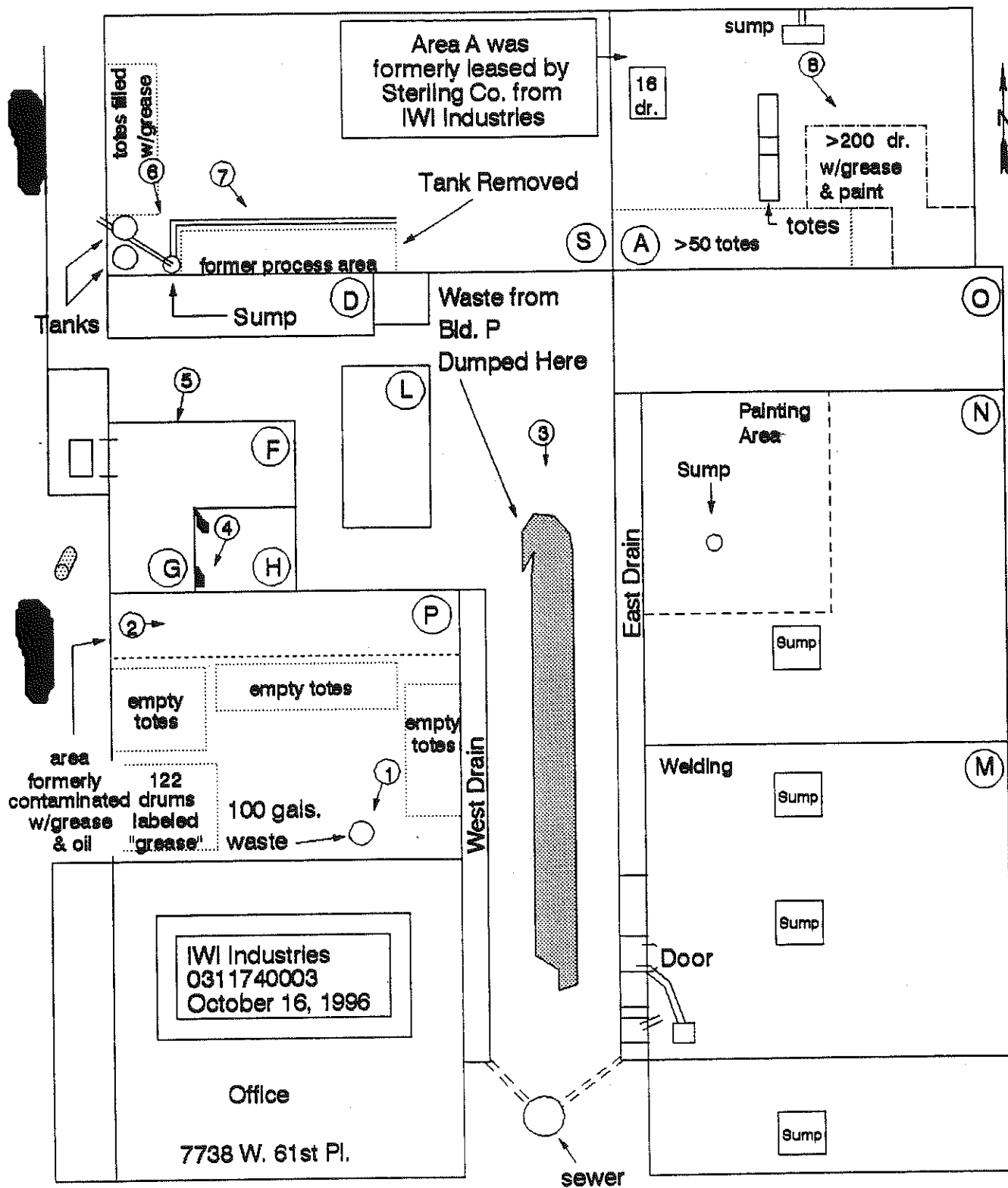
OWNED BY INDIANA BILT

120 DRUMS LEAKING
NO DRUM



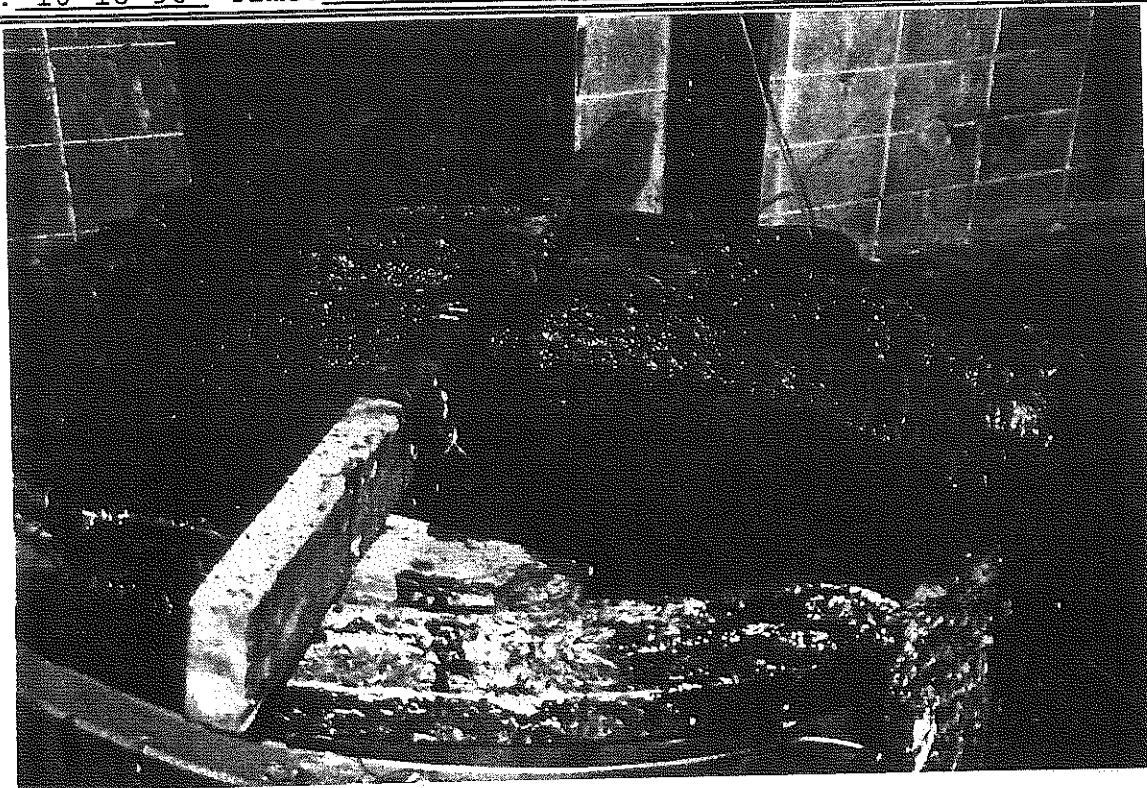
61st Place

Not to scale



Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 10-16-96 Time: 1:00 - 2:15 p.m. Photograph By: Tina Kovasznay



Comments: SW: Approximately 100 gallons of ink or paint waste from incoming totes located in building P. Roll #: 97-128⁵ (TK) Photo #: 1

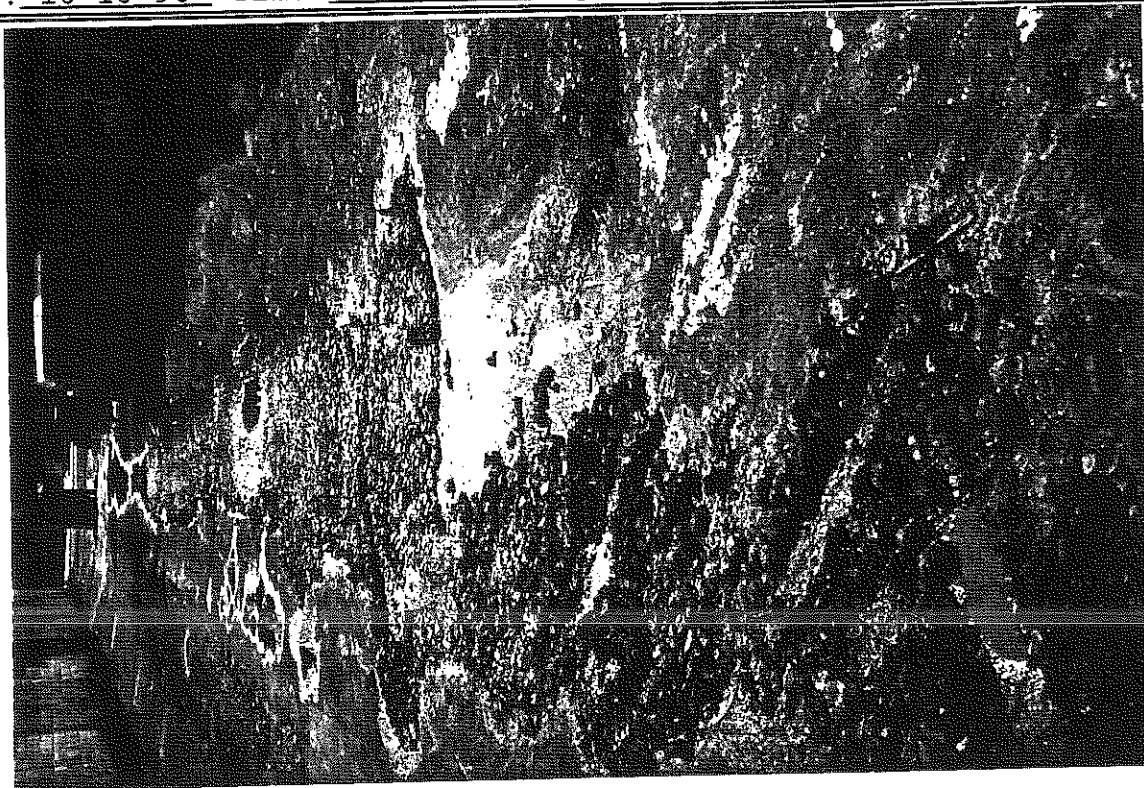


←W

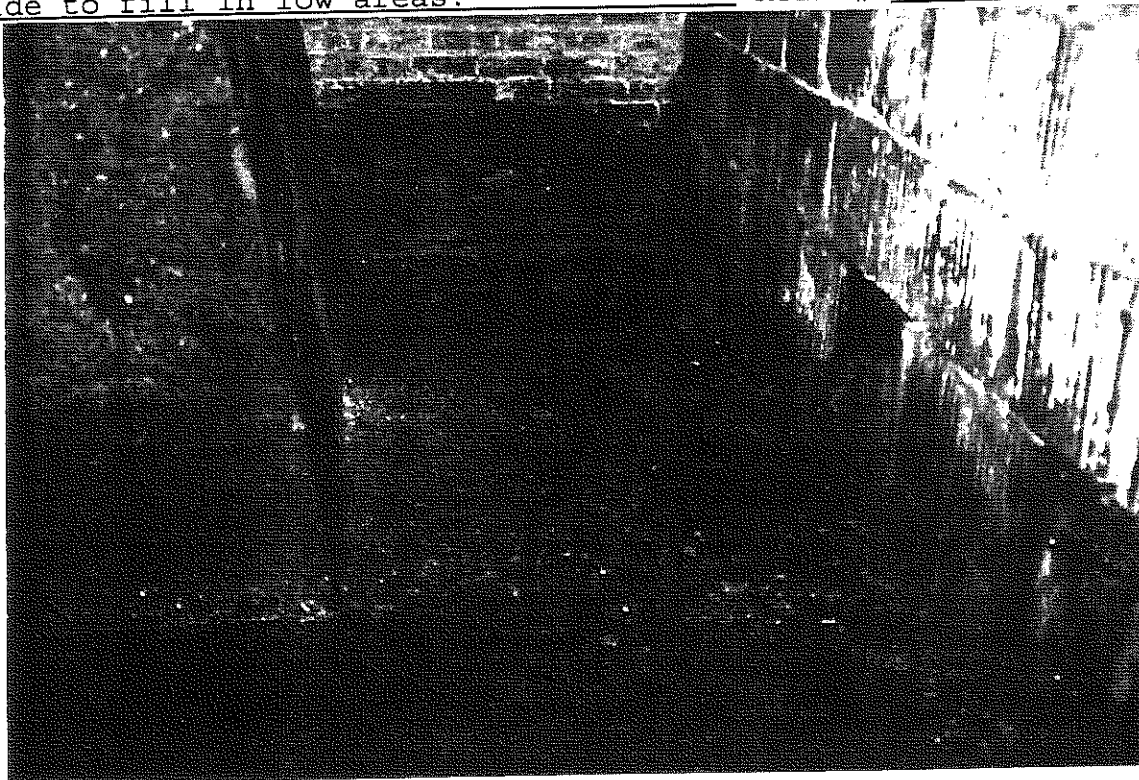
Comments: E: Along north wall of building P--area formerly contaminated with oil or grease and covered w/sawdust. Roll #: 97-128⁵ (TK) Photo #: 2

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 10-16-96 Time: 1:00 - 2:15 p.m. Photograph By: Tina Kovasznay



Comments: S: Special waste removed from building P and placed on ground
outside to fill in low areas. Roll #: 97-1235 Photo #: 3



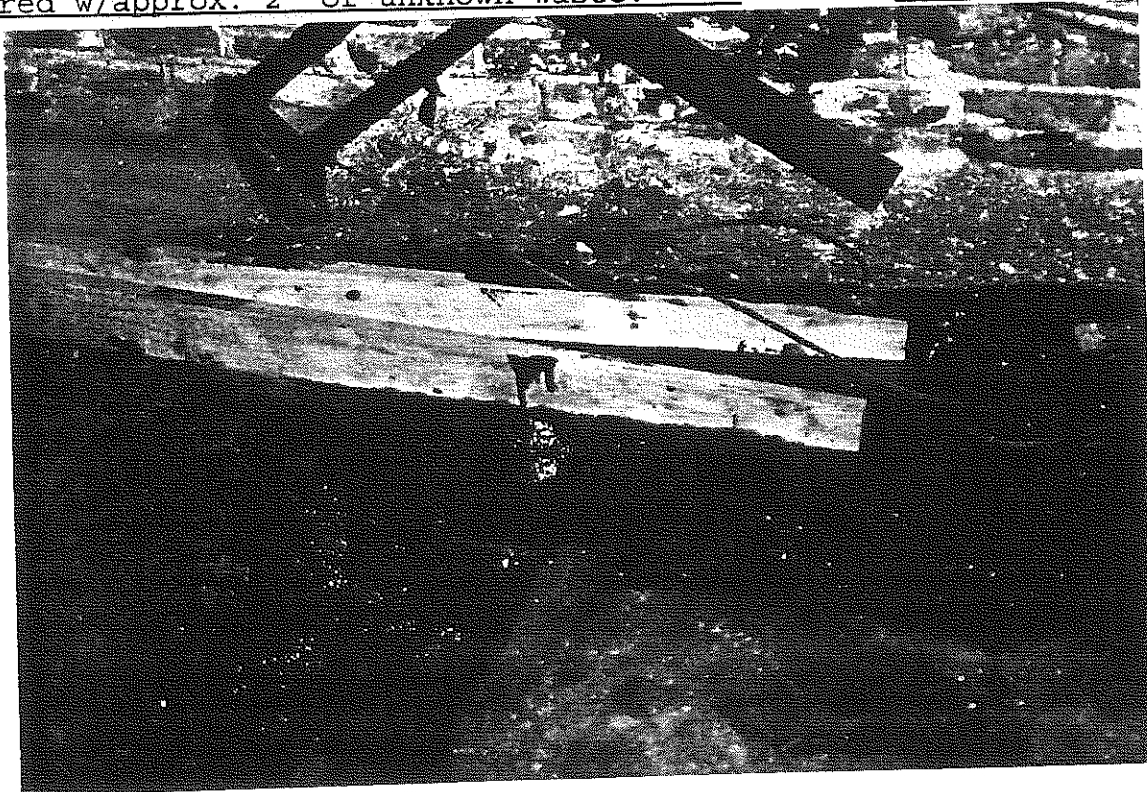
Comments: SW: Material from building G migrating into building H.
Roll #: 97-1235 Photo #: 4

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 10-16-96 Time: 1:00 - 2:15 p.m. Photograph By: Tina Kovasznay



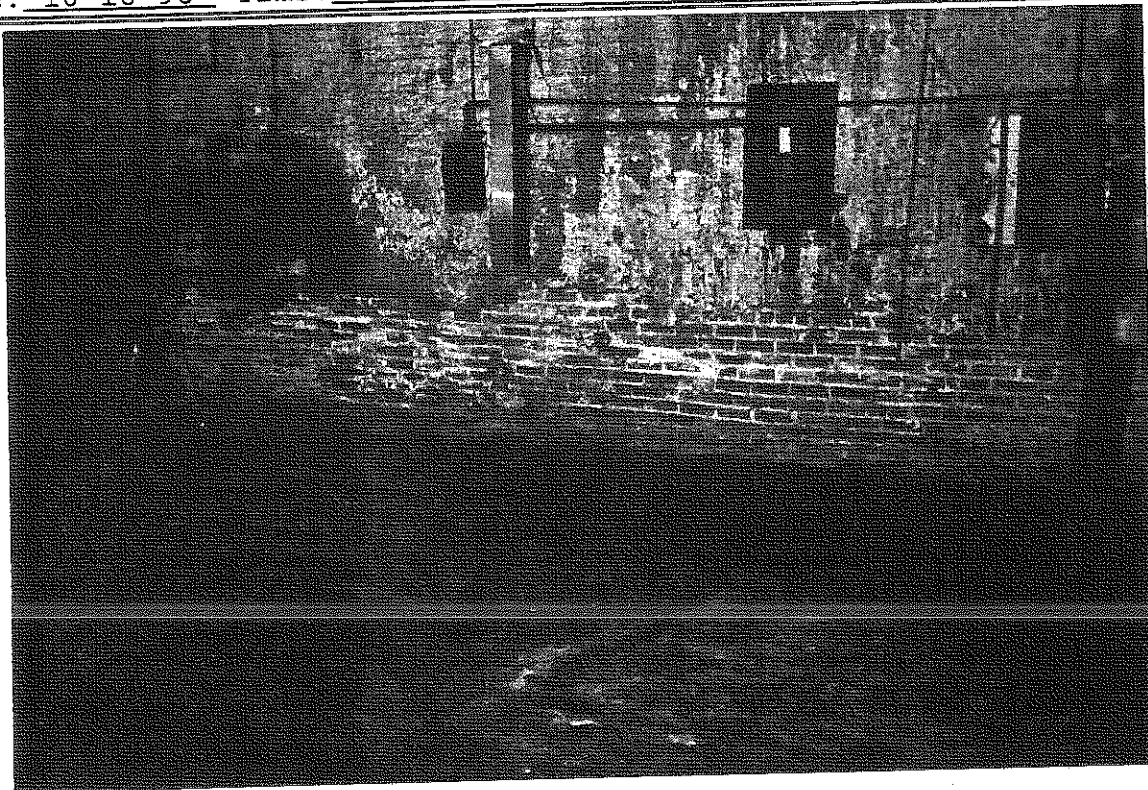
Comments: SW: Foreground-building F--background-building G. Floor
covered w/approx. 2' of unknown waste. Roll #: 97-12~~8~~⁵ Photo #: 5



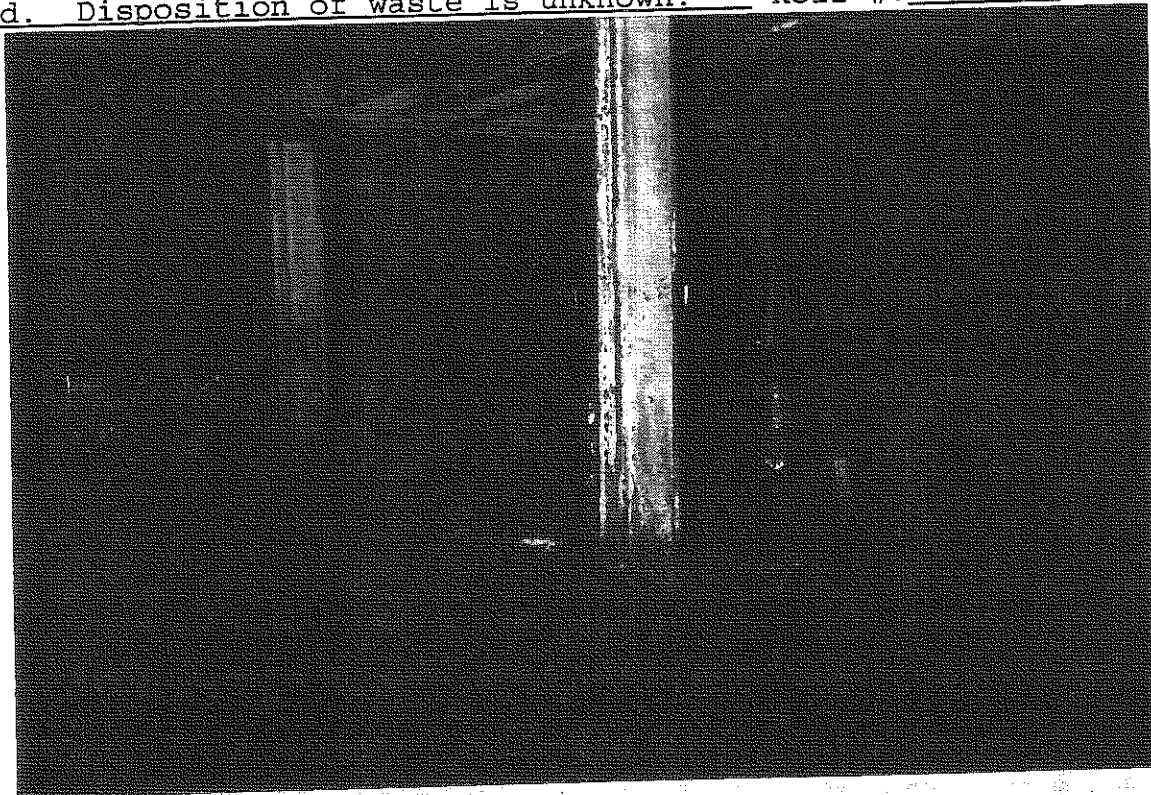
Comments: SE: Sump containing contaminated rain water west of former
processing area. Roll #: 97-12~~8~~⁵ Photo #: 6

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003
Date: 10-16-96 Time: 1:00 - 2:15 p.m. Photograph By: Tina Kovasznay



Comments: SE: Former location of processing tank in bld. S. Tank was re-
moved. Disposition of waste is unknown. Roll #: 97-1215 Photo #: 7



Comments: SE: Building A--Drums in poor condition filled with grease or
paint. Roll #: 97-1215 Photo #: 8

1001

0311740003

10-16-96

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	Part 722: Standards Applicable to Generators of Hazardous Waste (>1000-Kg/mo.)	
	Subpart A: General	
	Section 722.111: Hazardous Waste Determination	
722.111	Has the generator correctly determined if the solid waste(s) it generates is a hazardous waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____	<input checked="" type="checkbox"/> 722.111
	Have hazardous wastes been identified for purposes of compliance with Part 726? Yes _____ No <input checked="" type="checkbox"/> N/A _____	
806.121(a)	Has the generator correctly determined if the solid waste(s) it generates is a special waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____	<input checked="" type="checkbox"/> 806.121(a)
	Section 722.112: USEPA Identification Numbers	
722.112(a)	Has the generator obtained a USEPA identification number? Yes <input checked="" type="checkbox"/> No _____ N/A _____	722.112(a)
722.112(c)	Has the generator offered its hazardous waste only to transporters or to treatment, storage or disposal facilities that have a USEPA identification number? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.112(c)
	Subpart B: The Manifest	
	Section 722.120: General Requirements	
722.120(a)	Does the facility manifest its waste off-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.120(a)
722.120(b)	Does the manifest designate a facility permitted to handle the waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.120(b)
722.120(d)	Has the generator shipped any waste that could not be delivered to the designated facility? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.120(d)
	Section 722.121: Acquisition of Manifests	
	Has the generator used:	
722.121(a)	- an Illinois manifest for wastes designated to a facility within Illinois? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.121(a)
722.121(b)	- a manifest from the State to which the manifest is designated? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.121(b)
	- an Illinois manifest if the State to which the waste is designated has no manifest of its own? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Section 722.122: Number of Copies	
722.122	Does the manifest consist of at least 6 copies? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.122
	Section 722.123: Use of the Manifest	
	For each manifest reviewed, has the generator:	
722.123(a)	- signed the certificate by hand? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.123(a)
	- obtained the handwritten signature and the date of acceptance by the initial transporter? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	- retained one copy as required by Section 722.140(a)? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	- apparently sent a copy (part 5 for the Illinois manifest) to the Agency within 2 working days? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
722.123(b)	- has the generator apparently given the remaining copies to the transporter? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.123(b)

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
722.123(c)	<p>– has the generator followed the procedures prescribed in Section 722.123 for manifesting bulk shipments of hazardous waste by rail or water? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Subpart C: Pre-Transport Requirements</p> <p>Is there any hazardous waste ready for transport off-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If so, is the generator complying with the pre-transport requirements in Subpart C? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Section 722.134: Accumulation Time</p>	722.123(c)
722.134(a)	<p>Has the generator complied with the following requirements: Yes _____ No <input checked="" type="checkbox"/> N/A _____</p>	<input checked="" type="checkbox"/> 722.134(a)
722.134(a)(1)	<p>A) For waste in containers, has the generator complied with the requirements of Part 725, Subpart I? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>and/or</p> <p>B) For waste in tanks, has the generator complied with the requirements of Part 725, Subpart J (except Sections 725.297(c) and 725.300)? Yes <input checked="" type="checkbox"/> No _____ N/A _____</p> <p>and/or</p> <p>C) For waste on drip pads, has the generator complied with the requirements of Part 725, Subpart W and maintained the required records identified in this subsection? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>and/or</p> <p>D) For waste in containment buildings, has the generator complied with Part 725, Subpart DD and maintained the required records identified in this subsection? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
722.134(a)(2)	<p>For waste in containers, has the generator marked and made visible for inspection on each container, the date upon which accumulation began? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
722.134(a)(3)	<p>For waste in containers and tanks, has the generator marked or labeled each with the words "Hazardous Waste"? Yes _____ No <input checked="" type="checkbox"/> N/A _____</p>	
722.134(a)(4)	<p>Has the generator complied with the requirements of Part 725, Subparts C and D, and Sections 725.116 and 728.107(a)(4)? Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>Specifically, the requirements of items 1 and/or 4 above (listed by regulation) which need to be complied with are as follows:</p> <p>Does the facility accumulate hazardous waste in containers? Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>If "No", go to Subpart J.</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	Subpart I: Use and Management of Containers	
	Has the generator closed an accumulation area? Yes _____ No _____ N/A _____	
(725.211)	If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214?	
(725.214)	Yes _____ No _____ N/A _____	
(725.271)	If the containers have leaked or are in poor condition, has the owner/operator transferred the hazardous waste to a suitable container? Yes _____ No _____ N/A _____	
(725.272)	Is the waste compatible with the container and/or liner? Yes _____ No _____ N/A _____	
(725.273a)	Are containers of hazardous waste always closed except to remove or add waste during accumulation? Yes _____ No _____ N/A _____	
(725.273b)	Are containers of hazardous waste being opened, handled, or stored in a manner which will prevent the rupture of the container or prevent it from leaking? Yes _____ No _____ N/A _____	
(725.274)	Is the owner/operator inspecting the accumulation area(s) at least weekly, looking for leaks or deterioration? Yes _____ No _____ N/A _____	
	Is the accumulation area free from any evidence of leaking or deteriorating containers? (See also Section 725.131) Yes _____ No _____ N/A _____	
(725.276)	Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility's property line? Yes _____ No _____ N/A _____	
	Note: See Section 725.117(a) for additional requirements for ignitable, reactive or incompatible wastes.	
(725.277)	Is the owner/operator complying with the requirements concerning incompatible wastes? Yes _____ No _____ N/A _____	
	Comments:	
	Does the generator accumulate and/or treat hazardous waste in tanks? Yes <input checked="" type="checkbox"/> No _____ N/A _____	
	Note: If "No", go to Subpart C.	
	(GEN-3)	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	Subpart J: Tank Systems Has the generator closed an accumulation area? Yes _____ No <input checked="" type="checkbox"/> N/A _____	
(725.211)	If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214?	
(725.214)	Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
(725.290)	Does the facility accumulate or treat hazardous waste in tanks? Yes <input checked="" type="checkbox"/> No _____ N/A _____	
	Note: A generator may treat hazardous waste in a tank for less than 90 days without a RCRA permit. If "No", skip Subpart J.	
	a) Tank systems that are used to accumulate or treat hazardous waste which contains no free liquids (using the Paint Filter Liquids Test) and that are situated inside a building with an impermeable floor are exempted from the requirements in Section 725.293. b) Tank systems, including sumps, that serve as part of a secondary containment system to collect or contain releases of hazardous wastes are exempted from the requirements in Section 725.293(a). c) Tanks, sumps and other collection devices used in conjunction with drip pads (as defined in Section 720.110) and regulated under Subpart W, must meet the requirements of this Subpart.	
(725.291a)	For tanks <u>existing</u> prior to July 14, 1986 (see definition of tank system under 720.110) and not protected by a secondary containment system, has a written assessment been reviewed and certified by an IRPE(*) in accordance with Section 702.126(d) by January 12, 1986 (except as provided in Section 725.291(c))?	
	Yes _____ No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.291b)	Does this assessment consider at least the following:	
	1) design standards for the tank and ancillary equipment? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	2) hazardous characteristics of the wastes? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	3) existing corrosion protection measures? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	4) documented age of the tank system? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	5) results of a leak test, internal inspection, or other tank integrity examination? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
(725.291c)	Has a tank system assessment been performed within 12 months after the materials in the tank become a hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/> <i>must have asses. by 5-25-97</i>	
	Note: If an assessment indicates a tank system is leaking or unfit for use, the owner/operator must comply with the requirements of Section 725.291(b)(5).	
(725.292a)	For <u>new</u> tanks (see definition of new tanks under Section 720.110) whose installation commenced after 7/14/86, has a written assessment been reviewed and certified by an IRPE in accordance with Section 702.126(d) prior to operation of the tank system?	
	Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Does the assessment include, at a minimum, the following:	
	1) design standards for tanks and ancillary equipment? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	2) hazardous characteristics of the waste(s) to be handled? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	3) evaluation of potential for corrosion and corrosion protection measures for tank systems with metal components in contact with soil or water? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	*IRPE = Independent Registered Professional Engineer (GEN-4)	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.292g)	<p>4) design or operational measures that will protect underground tank systems from potential damage resulting from vehicular traffic? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>5) designs to ensure adequate foundations, anchoring to prevent flotation or dislodgement and the ability to withstand the effects of frost heave? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Has the owner/operator obtained and kept on file at the facility the written statements, including the certification statements [as required in Section 702.126(d)] of the design and installation requirements of Subsections (b) through (f)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293a)	<p>Is secondary containment provided for any new tank system before being put into service? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Does an existing tank, used to accumulate F020, F021, F022, F023, F026 or F027 waste(s), have secondary containment by 1/12/89? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For an existing tank of documentable age, is secondary containment provided by 1/12/89 or when the tank is 15 years old, whichever is later? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For an existing tank of undocumented age, has secondary containment been provided by 1/12/95? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>or if the facility is older than 7 years, by the time the facility reaches 15 years of age or 1/12/89, whichever is later? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For tanks that accumulate wastes that become hazardous after 1/12/87, has secondary containment been provided within the time intervals required in Subsections (a)(1) through (a)(4) substituting the date that a material becomes a hazardous waste for 1/12/87? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293b)	<p>Is the secondary containment system designed, installed and operated to prevent migration of wastes or accumulated liquid out of the system at any time? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Is the secondary containment system capable of detecting and collecting releases and accumulated liquids until the collected material is removed? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293c)	<p>To meet the requirements of Subsection (b), is the secondary containment system:</p> <p>1) compatible with the waste(s) in the tank and of sufficient strength and thickness to prevent failure? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) placed on a foundation or base capable of providing support, providing resistance to pressure gradients and preventing failure due to settlement, compression or uplift? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) provided with a leak detection system designed and operated to detect any release or accumulated liquid within 24 hours? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills or precipitation? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>and is spilled or leaked waste and accumulated precipitation removed from the secondary containment within 24 hours? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Note: A RCRA permit may allow for removal of liquids less frequently than 24 hours after accumulation.</p>	<p>became haz on 5-26-96</p>

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.293d)	<p>Does the secondary containment for tanks have one or more of the following:</p> <p>1) a liner (external to the tank); or</p> <p>2) a vault; or</p> <p>3) a double-walled tank; or</p> <p>4) an equivalent device (approved by the Board)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293e)	<p>Does the external liner system(s), vault system(s) and/or double-walled tank(s) meet the additional requirements identified in Section 725.293(e)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293f)	<p>Is ancillary equipment protected by secondary containment that meets the requirement of Subsection (h) and (c)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If "No":</p> <p>1) Is aboveground piping (exclusive of flanges, joints, valves and connections) inspected daily?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) Are welded flanges, joints and connections inspected daily?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) Are sealless or magnetic coupling pumps and sealless valves inspected daily?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) Are pressurized aboveground piping systems with automatic shut-off devices inspected daily?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293i)	<p>Until such time as secondary containment is provided, are the following requirements being met for all tank systems:</p> <p>1) For non-enterable underground tanks, has an annual leak test that meets the requirements of 725.291(b)(5) been conducted?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) For other than non-enterable underground tanks and ancillary equipment, has an annual leak test, internal inspection or other tank integrity examination by an IRPE been conducted?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/> due on 5-26-97</p> <p>3) Are written records maintained at the facility to document the assessments required under Subsections (i)(1) and (i)(2)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Note: If a tank system is found to be leaking or unfit for use as a result of a leak test or assessment, the owner/operator must comply with Section 725.296.</p>	
(725.294a)	<p>Has the owner/operator placed hazardous wastes or treatment reagents in the tank system that could cause the system to rupture, leak, corrode or otherwise fail?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.294b)	<p>Do tanks and secondary containment have appropriate controls and practices to prevent spills and overflows including:</p> <p>1) spill prevention controls?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) overfill prevention controls?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) sufficient freeboard in uncovered tanks?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.294c)	<p>Note: If a leak or spill has occurred in the tank system, the owner/operator shall comply with the requirements of Section 725.296.</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.295a)	<p>Does the owner/operator inspect, if present, at least each operating day, the following:</p> <p>1) overfill/spill control equipment? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>2) the aboveground portion of the tank system for corrosion or releases? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>3) data from monitoring equipment? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>4) the construction materials and the area immediately surrounding the external portion of the system? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.295b)	<p>If the tank system has cathodic protection, is the owner/operator complying with Section 725.295(b) to ensure that they are functioning properly? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.295c)	<p>Does the owner/operator document in the operating record, the results of tank inspections as required in Section 725.295(a) and (b)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.296)	<p>If the tank system or secondary containment system has a leak or spill or is unfit for use, has the owner/operator:</p> <p>a) immediately ceased using, prevented flow or addition of waste and inspected the system to determine the cause of the release? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>b) removed applicable waste from the system within 24 hours of detection? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>c) immediately conducted a visual inspection of the release and taken actions to contain visible releases to the environment, prevented further migration to soils or surface water and removed and properly disposed of any contaminated soil or water? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.296d)	<p>d) notified the Agency within 24 hours of detection of release? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>d)3) within 30 days of detection of release, submitted a report to the Agency that complies with the requirements of Section 725.296(d)(3)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.296e)	<p>Note: Notification and reports are not necessary if less than 1 pound of material is spilled and it was immediately contained and cleaned up.</p> <p>e) repaired the tank system prior to returning the tank system to service in the event that a leak has occurred from the primary tank system into the secondary containment system? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>e)4) provided secondary containment before returning a tank system to service in the event that the release was from a component of a tank system without secondary containment? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>e)4) met the requirements for a new tank system in the event that a component is replaced during repair? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>e)4) provided the entire component with secondary containment prior to being returned to use in the event that a leak has occurred in any portion of a component that is not readily accessible for visual inspection? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
(725.296f)	<p>f) In the event that an extensive repair has been conducted in accordance with subsection (e), submitted to the Agency within 7 days after returning the tank system to use, a certification by an IRPE stating that the repaired system is capable of handling hazardous wastes without release for the intended life of the system? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	<p>Note: If the owner/operator does not satisfy the requirements of subsections (e)(2) through (e)(4), the tank system must be closed in accordance with Section 725.297.</p>	
(725.297a)	<p>At the time of closure of a tank system, has the owner/operator removed or decontaminated all waste residues, contaminated components, contaminated soils and structures and equipment and managed them as hazardous waste [unless Section 721.103(d) applies]?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.297a)	<p>Have the closure plan, closure activities, cost estimates for closure and financial responsibility for tank systems met all requirements specified in Subparts G and H?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.297b)	<p>If the tank system cannot be "clean" closed, has the owner/operator closed the tank system and performed post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (Section 725.410)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
	<p>Note: Such a tank system is considered a landfill and must meet all of the requirements of landfills specified in Subparts G and H.</p>	
(725.298a)	<p>Are ignitable or reactive wastes placed in a tank system?</p> <p>Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>If "No", skip to Section 725.299.</p> <p>Is the waste treated, rendered or mixed before or immediately after placement in the tank system so that:</p> <ul style="list-style-type: none"> - the resulting waste, mixture or dissolved material is no longer ignitable or reactive? <p>Yes _____ No _____ N/A _____</p> <ul style="list-style-type: none"> - Section 725.117(b) is complied with? <p>Yes _____ No _____ N/A _____</p> <p>or</p> <p>Is the waste accumulated or treated so that it is protected from any material or conditions which may lead to ignition or reaction?</p> <p>Yes _____ No _____ N/A _____</p> <p>or</p> <p>Is the tank used solely for emergencies?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.298b)	<p>Is the facility complying with the requirements regarding maintenance of protective distances between the waste management area and any public ways, streets, alleys or any adjoining property line?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.299)	<p>Are incompatible wastes/materials placed in the same tank?</p> <p>Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>If "No", skip to Section 725.300.</p> <p>Is Section 725.117(b) being complied with?</p> <p>Yes _____ No _____ N/A _____</p> <p>Has the tank system been properly decontaminated if it previously held an incompatible waste/material unless Section 725.117(b) is complied with?</p> <p>Yes _____ No _____ N/A _____</p> <p>COMMENTS:</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	Subpart C: Preparedness and Prevention	
(725.131)	Is the facility being operated and maintained to minimize the possibility of a fire, explosion or any release of hazardous waste or hazardous waste constituents which could threaten human health or the environment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.132)	Is the facility equipped with the following, if necessary: a) an internal communication or alarm system(s)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> b) a telephone or other device to summon emergency assistance from local authorities? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> c) portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> d) water at adequate volume and pressure for fire control? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.133)	Is the facility testing and maintaining communication/alarm system(s), fire protection equipment, spill control equipment and decontamination equipment? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.134)	a) Where hazardous waste is being handled, do all employees have immediate access to an internal alarm or other emergency communication device? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> b) If there is ever just one employee on the premises when the facility is operating, does he/she have immediate access to a device capable of summoning external emergency assistance? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.135)	Is the facility maintaining adequate aisle space? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.137)	Has the facility attempted to make the following arrangements, as appropriate, for the type of facility and waste: - arrangements with local emergency authorities (i.e. police and fire departments, other emergency response agencies) to familiarize them with the layout of the facility, properties of hazardous waste handled, places where facility personnel would be working, entrances to roads inside the facility and evacuation routes? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> - agreements designating the primary authority where more than one police or fire department might respond? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> - agreements with State emergency response teams, contractors and equipment suppliers? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> - arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the type of injuries or illnesses which could result from fires, explosions or releases at the facility? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
	Subpart D: Contingency Plan and Emergency Procedures	
(725.151a)	Is the contingency plan available? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> If "No", skip to Section 725.155. Is the plan designed to protect human health and the environment from releases to the air, soil and water? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.151b)	Has there been a fire, explosion or release of hazardous waste? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> If "Yes", has the contingency plan been carried out immediately? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.152a)	<p>Does the plan describe the actions required for response to:</p> <p>- fires? Yes _____ No _____ N/A _____</p> <p>- explosions? Yes _____ No _____ N/A _____</p> <p>- releases? Yes _____ No _____ N/A _____</p>	
(725.152c)	<p>Does the plan describe arrangements with:</p> <p>- police and fire departments? Yes _____ No _____ N/A _____</p> <p>- hospitals? Yes _____ No _____ N/A _____</p> <p>- contractors? Yes _____ No _____ N/A _____</p> <p>- emergency response teams? Yes _____ No _____ N/A _____</p>	
(725.152d)	<p>Does the plan contain the current emergency coordinator's name, phone (office and home) and address?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.152e)	<p>Does the plan identify all emergency equipment including:</p> <p>- description? Yes _____ No _____ N/A _____</p> <p>- capability? Yes _____ No _____ N/A _____</p> <p>- location? Yes _____ No _____ N/A _____</p> <p>Is the list of emergency equipment up-to-date?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.152f)	<p>Does the plan include:</p> <p>- an evacuation plan? Yes _____ No _____ N/A _____</p> <p>- an evacuation signal? Yes _____ No _____ N/A _____</p> <p>- alternate evacuation routes? Yes _____ No _____ N/A _____</p>	
(725.153)	<p>Has the contingency plan (including all revisions) been:</p> <p>a) maintained at the facility? Yes _____ No _____ N/A _____</p> <p>b) submitted to:</p> <p>- police department? Yes _____ No _____ N/A _____</p> <p>- fire department? Yes _____ No _____ N/A _____</p> <p>- hospital? Yes _____ No _____ N/A _____</p> <p>- emergency response teams? Yes _____ No _____ N/A _____</p>	
(725.154)	<p>Has the contingency plan been reviewed and revised whenever:</p> <p>a) regulations are revised? Yes _____ No _____ N/A _____</p> <p>b) the plan fails in an emergency? Yes _____ No _____ N/A _____</p> <p>c) the facility changes in a way that modifies the emergency response necessary?</p> <p>Yes _____ No _____ N/A _____</p> <p>d) information regarding emergency coordinators changes?</p> <p>Yes _____ No _____ N/A _____</p> <p>e) information regarding equipment changes?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.155)	<p>Is the emergency coordinator on-site or on call at all times?</p> <p>Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>Is the emergency coordinator familiar with all facility activities, wastes, records, layout and contingency plan?</p> <p>Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>Does the emergency coordinator have the authority to commit the resources needed to carry out the actions specified in the contingency plan?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.156)	<p>If the facility has had a release, fire or explosion, have the procedures of this Section been followed regarding assessment, response and reporting?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Note: If the facility has had a release, explain in detail.</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.116a)	<p>Section 725.116: Personnel Training</p> <p>Does the facility have a training program? Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>Have facility personnel successfully completed a program of classroom or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Part 725? Yes _____ No <input checked="" type="checkbox"/> N/A _____</p> <p>Is the program directed by a person trained in hazardous waste management procedures? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Does the program teach facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Does the program cover, at a minimum:</p> <ul style="list-style-type: none"> - procedures to familiarize facility personnel with emergency procedures, emergency equipment and emergency systems? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - key parameters for automatic waste feed cut-off systems? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - communications or alarm systems? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - response to fire or explosions? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - response to groundwater contamination incidents? Yes _____ No _____ N/A <input checked="" type="checkbox"/> - shutdown of operations? Yes _____ No _____ N/A <input checked="" type="checkbox"/> 	
(725.116b)	<p>Have new employees completed the program within 6 months of the date of employment or assignment to a position requiring them to manage hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.116c)	<p>Have facility personnel received an annual review of the initial training? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.116d)	<p>Are the following documents and records being maintained at the facility:</p> <ol style="list-style-type: none"> 1) the job title for each position related to hazardous waste management and the name(s) of the employee(s) filling each job? Yes _____ No <input checked="" type="checkbox"/> N/A _____ 2) a written job description for each position above, including the requisite skill, education or other qualifications and duties of personnel assigned to each position? Yes _____ No <input checked="" type="checkbox"/> N/A _____ 3) a written description of the type and amount of both initial and continuing training that will be given to each person filling a position dealing with hazardous waste management? Yes _____ No <input checked="" type="checkbox"/> N/A _____ 4) records documenting that the training or job experience has been given to and completed by facility personnel? Yes _____ No <input checked="" type="checkbox"/> N/A _____ 	
(725.116e)	<p>Is the facility maintaining training records until closure of the facility and those of former employees for at least 3 years from the last date of employment? Yes _____ No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(726.107a4)	Section 726.107: Waste Analysis and Recordkeeping Has the generator who treats a prohibited waste in tanks or containers in order to meet the treatment standards developed and followed a waste analysis plan? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Is the plan on-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Does the plan include a detailed physical and chemical analysis? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Has the plan been filed with the Agency at least 30 days prior to commencement of treatment activity? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Has the generator submitted the required notification and certification that the waste meets treatment standards when the waste is shipped off-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
722.134(c)	Subsection 722.134(c): Satellite Accumulation. Is the generator who accumulates hazardous waste at or near any point of generation where wastes initially accumulate and which is under the control of the operator of the process generating the waste limiting such accumulation to 55 gallons of hazardous waste or 1 quart of <u>acutely</u> hazardous waste, marking the containers with the words "Hazardous Waste" or other words identifying the contents? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.134(c)
	Has the generator who accumulates more than 55 gallons of hazardous waste or 1 quart of <u>acutely</u> hazardous waste complied with the requirements of Section 722.134(a) within 3 working days? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	If there are more than 55 gallons of hazardous waste or 1 quart of <u>acutely</u> hazardous waste in the satellite accumulation area, are the containers marked with the date accumulation began? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	During the 3 day period, is the generator continuing to comply with the requirements of Section 722.134(c)(1) with respect to the excess waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Subpart D: Recordkeeping and Reporting Section 722.140: Recordkeeping	
722.140(a)	Has the generator retained for a period of 3 years: - a copy of each signed manifest? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.140(a)
722.140(b)	Has the generator retained a copy of each Annual Report and Exception Report for a period of at least three years from the due date of the report (March 1)? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.140(b)
722.140(c)	Has the generator retained for a period of 3 years: - copies of test results, waste analyses or other determinations made in accordance with Section 722.111? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.140(c)
722.140(d)	Does a generator who is involved in any unresolved enforcement action or as requested by the Director continue to maintain the records required in subsections a) and c)? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.140(d)
722.141(a)	Section: 722.141: Annual Reporting Has the generator who ships hazardous waste off-site for treatment, storage or disposal filed an annual report with the Agency by March 1 for the preceding calendar year? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.141(a)
	Note: If "No", or if deficiencies are noted with the annual report reviewed, contact the Planning and Reporting Section.	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
722.141(b)	Has the generator who treats, stores or disposes of hazardous waste on-site, filed an annual report with the Agency by March 1 for the preceding calendar year? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.141(b)
722.142(a)(1)	Section 722.142: Exception Reporting If the generator has not received a copy of the manifest from the TSD facility within 35 days of the date of delivery to the transporter, has the generator contacted the transporter or the TSD facility to determine the status of the hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.142(a)(1)
722.142(a)(2)	If the generator has not received a copy of the signed manifest within 45 days of the date of delivery to the transporter, has he filed an exception report with the Agency in accordance with the requirements of this Section? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.142(a)(2)
722.143	Section 722.143: Additional Reporting Has the generator furnished additional reports as required by the Director? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.143
	Subpart E: Exports of Hazardous Waste Is the generator an exporter of hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart E? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Subpart F: Imports of Hazardous Waste Is the generator an importer of hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart F? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Subpart G: Farmers Is the generator a farmer? Yes _____ No _____ N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart G? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
	Comments:	

FOLLOW-UP INSPECTION

DATE: 6-30-95

TO: Deanne Virgin

FROM: Tina Kovaszna

SUBJECT: IWI Industries
(Facility Name)

HWRC, TECHNICAL COMPLIANCE UNIT

Maywood Region

Cook (County)

IL D097179204
(USEPA ID Number)

0311740003
(State ID Number)

1015194 (Date of Initial Inspection)

On 6/30/95 a follow-up inspection was completed, resolving the following violations:

SECTION

SECTION

SECTION

Check Box if Applicable:



Outstanding violations remaining; see summary of apparent violations/narrative.



Send PECL for outstanding violations.



New violations cited.

Comments: IAGO will be updated.

TM:dls/736v/sp

RCRA INSPECTION REPORT

TYPE OF FACILITY**TYPE OF INSPECTION**

NON-REGULATED STATUS N/A

PART A *N/A*

Part A Withdrawal requested: ___/___/___ Approved by (US)(IL) EPA: ___/___/___

PART B PERMIT APPLICATION N/A

ENFORCEMENT

Illinois Attorney General: ☒ or N 8/19/85 County State's Attorney: ☒ or N 5/30/85

ORDERS ISSUED

TSD FACILITY ACTIVITY SUMMARY[illegible]

OPERATOR

PERSON(S) INTERVIEWED

TITLE

PHONE #

INSPECTION PARTICIPANT(S)

AGENCY/TITLE**PHONE #**

PREPARED BY

AGENCY/TITLE**PHONE #**

SUMMARY OF APPARENT VIOLATIONS

[illegible]

IWI Industries
0311740003 - ILD097179204
June 30, 1995

Narrative Prepared By: Tina Kovasznay

NARRATIVE

IWI Industries manufactures and repairs portable tote tanks. They have also recently begun selling tote parts. According to Glen Wellman, President, there is no hazardous waste generated, stored, or disposed of on-site. Mr. Wellman stated that IWI no longer cleans out used tanks. The totes are cleaned out before arriving at IWI. During the inspection, it was discovered that IWI is storing a very large amount of material on-site. Mr. Wellman claims that the material on-site is not hazardous waste and can be used in the future. Mr. Wellman stated that old paint is used as primer, or to paint buildings on site, and all grease on-site is new product which can be sold. There is a substantial decrease in the amount of drums on-site since the last inspection. Material which appeared contaminated or unusable during the last inspection continues to be stored on-site. The following is an inventory of material found on-site. Because of the condition of the site, this inventory is not exact.

Building P

- 1) approximately 122 drums labeled grease (photo 1)
- 2) empty totes
- 3) area along north wall saturated with what appears to be grease and/or oil (photos 2 & 3) - this area has been covered with approximately 6" of saw dust
- 4) material from building G is migrating into building P

Building G

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building. This building has holes in the south and east walls which are allowing the material to migrate into buildings P and H. According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 16 years.

Building H

Waste from building G is migrating into this building (photos 4 & 5).

Building F

Burned out building used to store what appears to be paint waste. This material is approximately 2-3 feet deep and is stored on the floor of the building (photos 6 and 7). This building has an opening on the west wall which appears to have been used to dump the waste into the building. According to Mr. Ehrler, the material has been in the building at least as long as he has been employed by IWI which is 15 years.

IWI Industries
0311740003 - ILD097179204
June 30, 1995

Narrative Prepared By: Tina Kovasznay

Building L

No evidence of waste in this building.

Building D

No evidence of waste in this building.

Building S

Numerous totes filled with grease. Location of former process area where totes were emptied and cleaned out. Tank is currently filled with what appears to be paint waste (photo 13). Because of recent rains, and the fact that the roof on this building is in very poor condition, contaminated water was present in the trench surrounding the process tank. The water flows to a sump, and is then discharged to the ditch on the west side of the property (photos 8, 9, 10, 11, & 12). During the 1-11-94 inspection, this building also contained 2-30 gallon fiber drums which had completely collapsed, were open, and contained a white solid. One of the drums was labeled "corrosive solid NOS - corrosive material UN1759". These drums were not on-site during this inspection, and Mr. Ehrler stated that they had been thrown into the dumpster.

Building A

Approximately 50 totes - contents unknown (photo 14). Approximately 200 drums containing various materials (photo 15). Sump located along north wall with a pipe leading to it - filled with unknown liquid material. The majority of the drums in this area are in very poor condition, and left open. It appears as if waste has been removed from this building. Although the majority of the material in these drums appears contaminated and unusable, Mr. Ehrler and Mr. Wellman claim that waste paint is being reused as primer on totes and to paint buildings, and grease is sellable.

Building O

No evidence of waste in this building.

Building N

Painting area with a substantial amount of paint residue on the ground. The sump in this area is full of an unknown liquid and, according to Mr. Ehrler, is pumped to the sewer as needed. A second, larger sump is located just south of the painting area and also contains an unknown liquid which travels south through a second, third, and fourth sump from which it is discharged to the sewer once a week. Although Mr. Ehrler and Mr. Wellman both stated that all totes come to the facility empty, there were piles of dried paint waste found on site. Mr. Ehrler stated that these piles are generated from cleaning out totes. He also stated that the material is placed into drums and shipped back to the customer (photo 16 & 17). When asked if invoices for these activities were kept, Mr. Wellman stated that they were, but were not available.

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June 30, 1995

Narrative Prepared By: Tina Kovasznay

Building M

Area where production occurs (welding area). Storage of finished totes and the old nozzle test cabinet. Pipe leading from building to east ditch. Location of sump 2, 3, and 4.

West of Building S

Soil contamination was observed (approximately 5' x 30') in the ditch west of the concrete pad (photos 8 & 9). According to Mr. Ehrler and Mr. Wellman, water from building S, which appears to be contaminated, is discharged to this ditch which is apparently railroad property.

West of Building P

Soil contamination was observed (approximately 5' x 30') in the ditch west of the contaminated area in building P. According to Mr. Wellman, the contaminated area in building P was filled in with saw dust so that water contaminated with oil from this area will flow out to the ditch which is apparently railroad property.

Hazardous Waste Units

The following areas will be storage areas if the material on-site is found to be hazardous.

S01 - Container Storage Areas

Building P:	southwest corner - 122 drums
Building H:	center of building - 4 drums previously stored here
Building S:	against west wall - totes full with grease and southwest corner of building previously contained collapsed drums labeled corrosive
Building A:	entire building - >50 totes, >200 drums
Building O:	southwest corner - previously contained >15 totes along south wall and 54 drums along north wall
Building N:	south section of building which previously contained paint waste and drums labeled hydrofluoric acid, 3 drums, 5 pails and 1 vat of what may be grease and 1 drum and 1 partially filled tote of paint
Outside Building G/F:	west side of building - previous location of a container with unknown material
Outside Building S:	west side of building - previous location of tote filled with grease, dumpster filled with an unknown material and general refuse
Outside Building O:	northeast corner of courtyard - previous location of 1 drum of paint waste

IWI Industries
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Narrative Prepared By: Tina Kovasznay

S02 - Tank Storage

Building G/F:

entire building has been considered a tank--approximately 2-3 feet of waste covering floor

Outside Building G:

Building S:

black tank containing unknown material
former process area - tank formerly used to clean out totes brought in from off-site and two tanks reaching from the floor to the ceiling containing unknown material

S04 - Surface Impoundment

In the past, the ditch located on the west side of the facility which supposedly contained waste was considered to be a surface impoundment. Supposedly, soil was excavated from this area sometime in the past, but the location of the excavated material is unknown, and closure was never conducted. According to Mr. Wellman, the property directly west of the facility is not owned by IWI. A certified appraisal of the property boundary was conducted some time in June, 1992 by Mike Witten (United Appraisal Company - 708-460-5800). It is the opinion of this inspector that IWI does not operate a RCRA surface impoundment.

Open Dumping

West of Building S:

a 5' x 30' area in ditch west of the concrete pad which is contaminated with what appears to be grease or oil - according to Mr. Wellman and Mr. Ehrler, contaminated water generated from the IWI facility is discharged to this area

West Wall of Building H: two areas contaminated with material migrating from building G

North Area of Building P: entire northern portion of building is saturated with grease or oil - now covered with saw dust

West of Building P:

a 5' x 30' area in ditch west of building P which is contaminated with what appears to be grease or oil - according to Mr. Wellman and Mr. Ehrler, contaminated water generated from the IWI facility is discharged to this area

Inside Building N:

two piles of yellow paint residue scraped from inside of totes and dumped onto ground

West of Building N:

pile of brown paint residue scraped from inside of tote with red liquid oozing from it onto ground

IWI Industries
0311740003 - ILD097179204
June 30, 1995

Narrative Prepared By: Tina Kovasznay

Additional Notes

This facility will be referred to the Bureau of Water for further investigation concerning the discharge of contaminated water to what appears to be railroad property.

Apparent Violations

Outstanding - Cited 10-5-94

- 21(p) (1) - Causing or allowing litter (see open dump section above for details).
- 21(a) - Causing or allowing the open dumping of any waste (see open dump section above for details).

Outstanding - Cited 1-11-94

- 808.121(a) - IWI has not determined whether the paint chips and paint scrapings found in the dumpster in building M are a special waste.

Outstanding - Cited 11-24-92

- 722.111 - IWI must make a waste determination on any materials which appear to be waste.

The following violations may be applicable based on the waste determination:

- 722.112(a) - Generator has not obtained a USEPA ID # (no 8700-12 form submitted)
- 722.134(a) - Have not complied with Part 725, Subpart I&J (no dates, labels, etc.)
 - (725.271) - Containers are in poor condition and are leaking
 - (725.273(a)) - Containers must always be closed during storage
 - (725.273(b)) - Containers are stored and handled in a manner which may cause the containers to rupture or leak
 - (725.274) - No inspections of containers are being conducted
 - (725.291(a)) - No independent, certified, written assessments of tanks is available
 - (725.193(a)) - No secondary containment has been provided for the three tanks on-site
 - (725.294) - No spill prevention controls on tanks
 - (725.295(a)) - No tank inspections are being conducted
 - (725.295(c)) - No documentation of inspections in operating record

IWI Industries
0311740003 - ILD097179204
June 30, 1995

Narrative Prepared By: Tina Kovasznay

- (725.296) - Tanks which have had leaks or spills must be removed from service immediately
- (725.296(d)) - Releases were not reported to the Agency
- (725.131) - Facility is not maintained to minimize the possibility of releases of hazardous waste to the environment

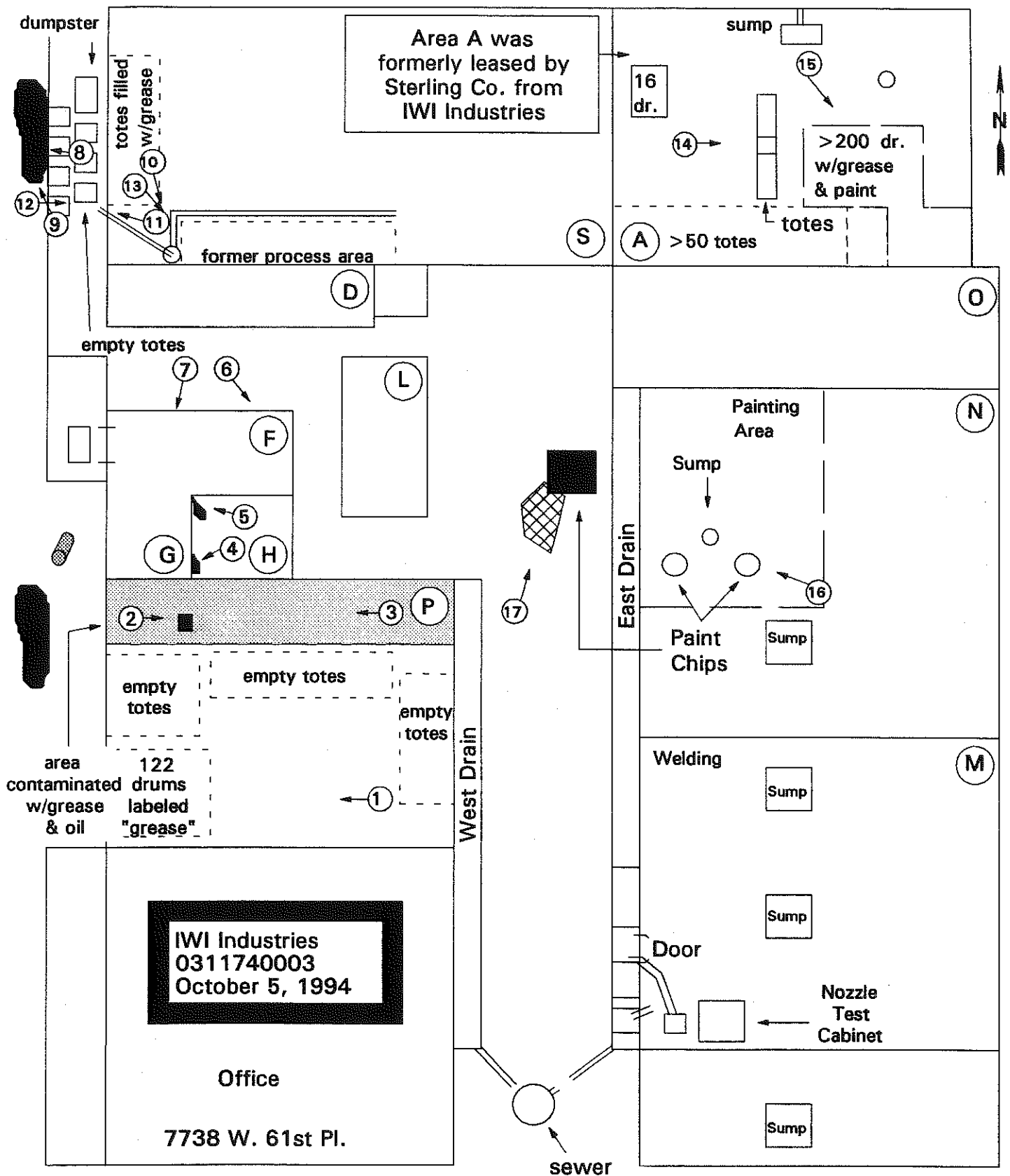
- (725.132) - No required equipment: internal, external alarms or communication devices, fire, spill, or decontamination equipment
- (725.134) - No immediate access to alarm or emergency communication device
- (725.135) - Inadequate aisle space
- (725.137) - No arrangements with local authorities
- (725.151(a)) - No contingency plan
- (725.155) - No emergency coordinator
- (725.156(a-h)) - No action taken upon release of waste
- (725.116(a)) - No personnel training
- (725.116(d)) - No documentation of personnel training
- 702.150(a) - No Part A submitted
- 725.111 - Facility owner must apply for a USEPA ID # (no 8700-12 form submitted)
- 725.113(a) - No waste analysis provided before storage
- 725.113(b) - No written waste analysis plan
- 725.114(c) - No "Danger-Unauthorized Personnel Keep Out" sign posted near storage areas
- 725.115(a) - No inspections being conducted
- 725.115(b) - No written inspection schedule
- 725.115(c) - No remediation of deteriorations
- 725.115(d) - No inspection log or summary
- 725.116(a) - No personnel training
- 725.116(d) - No documentation of personnel training
- 725.131 - Facility is not maintained to minimize the possibility of releases of hazardous waste to the environment

- 725.132 - No required equipment: internal or external alarms or communication devices, fire, spill, or decontamination equipment
- 725.134 - No immediate access to alarm or emergency communication device
- 725.135 - Inadequate aisle space
- 725.137 - No arrangements with local authorities
- 725.151(a) - No contingency plan
- 725.155 - No emergency coordinator
- 725.156(a-h) - No action taken upon release of waste
- 725.173 - No operating record
- 725.174(a) - No records were available at the time of the inspection

IWI Industries
0311740003 - ILD097179204
June 30, 1995

Narrative Prepared By: Tina Kovasznay

- 725.175 - No facility annual reports have been submitted
- 725.176 - Accepted hazardous waste without a manifest (no unmanifested waste report filed)
- 725.177 - No reports regarding releases have been submitted to the Agency
- 725.212(a) - No closure plan
- 725.242(a) - No written closure cost estimate
- 725.271 - Containers are in poor condition and are leaking
- 725.273(a) - Containers must always be closed during storage
- 725.273(b) - Containers are stored and handled in a manner which may cause containers to rupture or leak
- 725.274 - No inspections of containers are being conducted
- 725.291(a) - No independent, certified, written assessment of tanks is available
- 725.293(a) - No secondary containment has been provided for the three tanks on-site
- 725.294 - No spill prevention controls on tanks
- 725.295(a) - No tank inspections are being conducted
- 725.295(c) - No documentation of inspections in operating record
- 725.296 - Tanks which have had leaks or spills must be removed from service immediately
- 725.296(d) - Releases were not reported to the Agency
- 728.107(a) - Generator has not tested his waste to determine if it is restricted from land disposal
- 728.150(a)(1) - Storage of LDR waste not necessary to facilitate proper disposal
- 728.150(a)(2) - Storage containers and tanks are not marked with contents and accumulation dates
- 728.150(c) - Storing LDR waste for greater than a year--not necessary for proper disposal



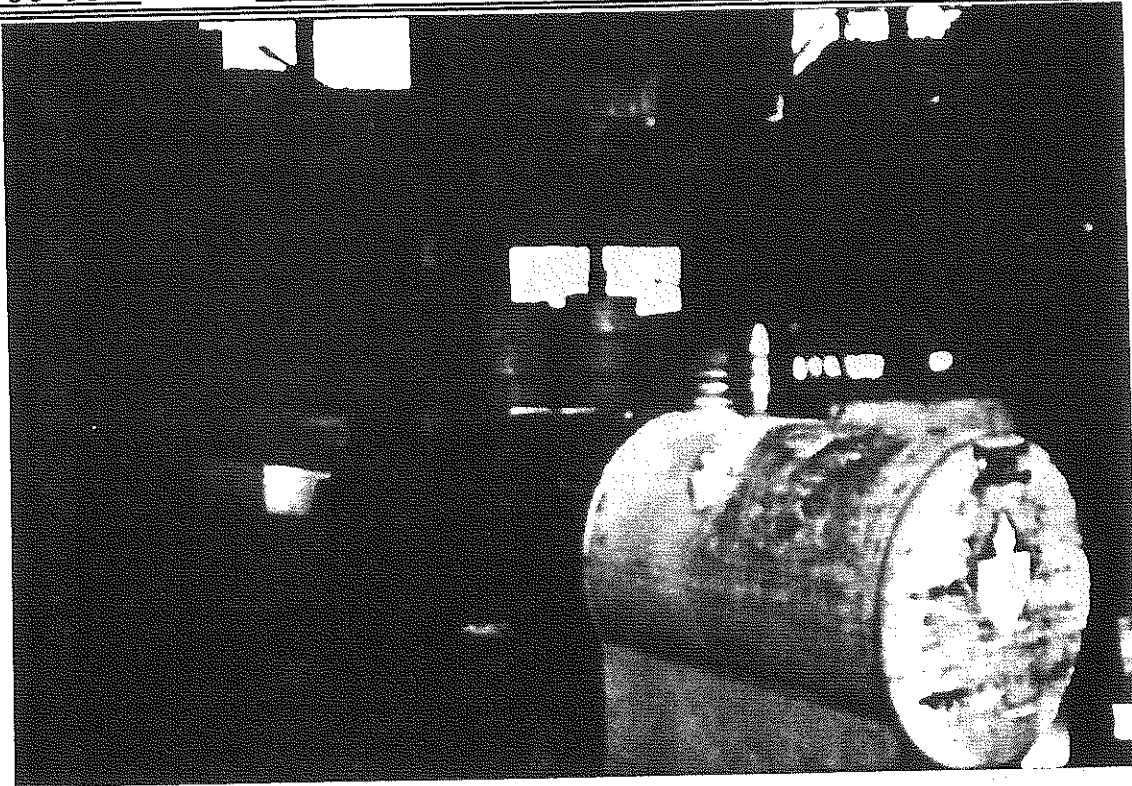
61st Place

Not to scale

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: W: Drums labeled "grease." Building P.

Roll #: 95-453 Photo #: 1



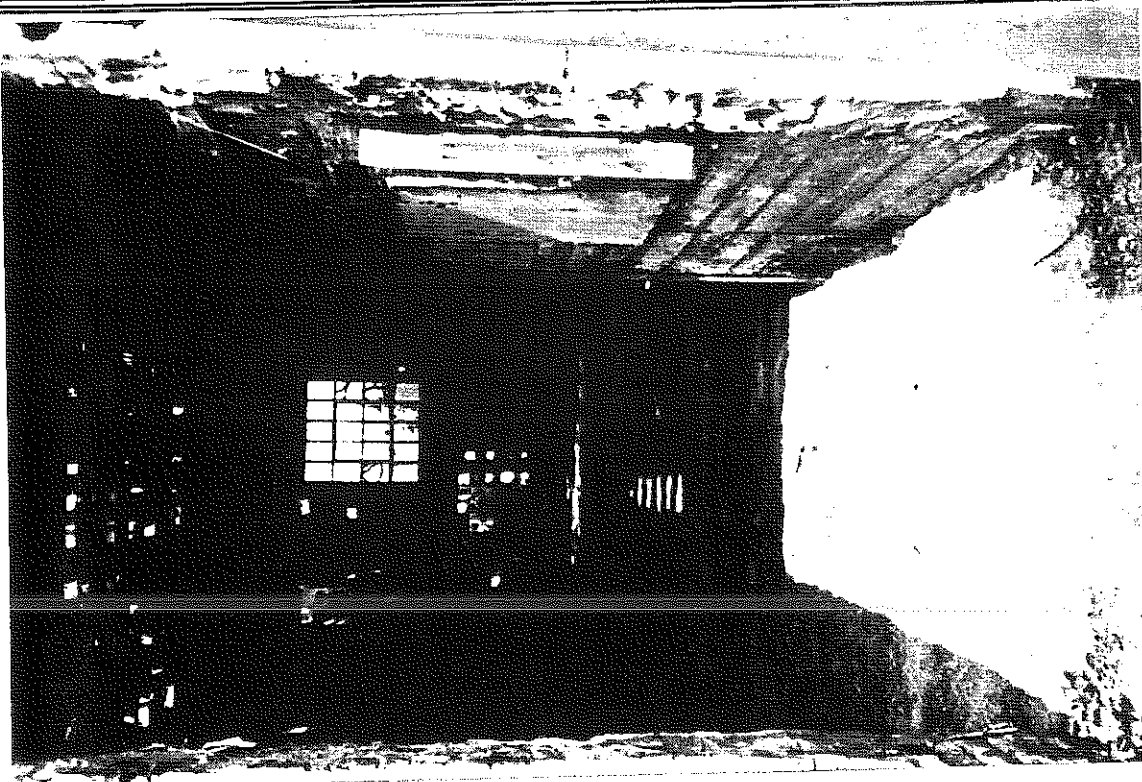
Comments: E: Along north wall of building P--area contaminated with oil or grease and covered w/saw dust.

Roll #: 95-453 Photo #: 2

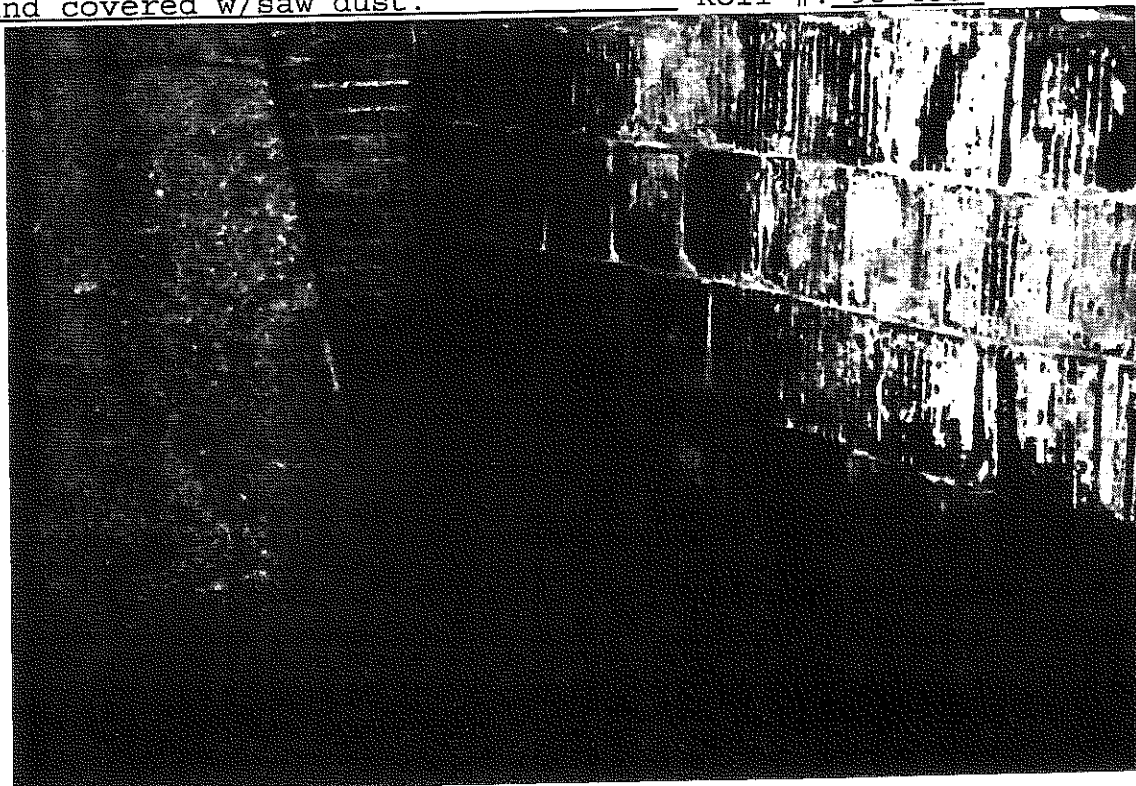
Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: W: Along north wall of building P--area contaminated w/oil or
grease and covered w/saw dust. Roll #: 95-453 Photo #: 3

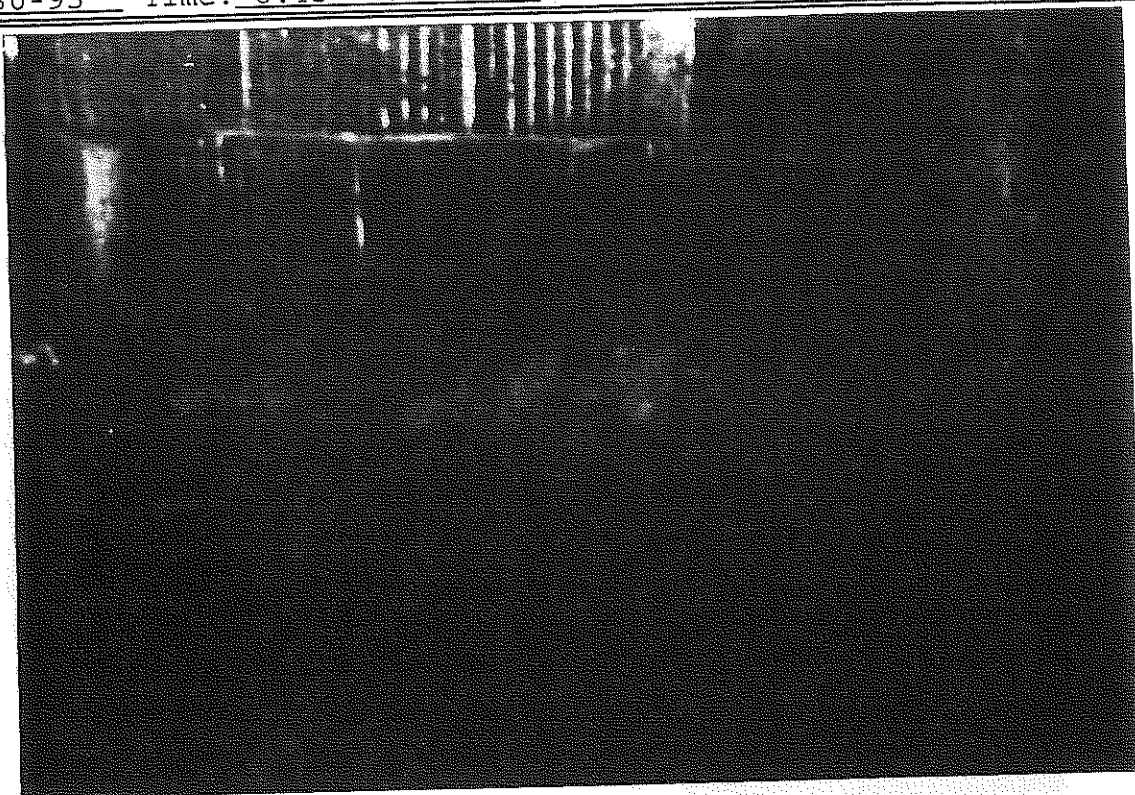


Comments: SW: Material from building G migrating into building H.
grease and covered w/saw dust. Roll #: 95-453 Photo #: 4

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovaszny



Comments: NW: Material from building G migrating into building H.

Roll #: 95-453 Photo #: 5



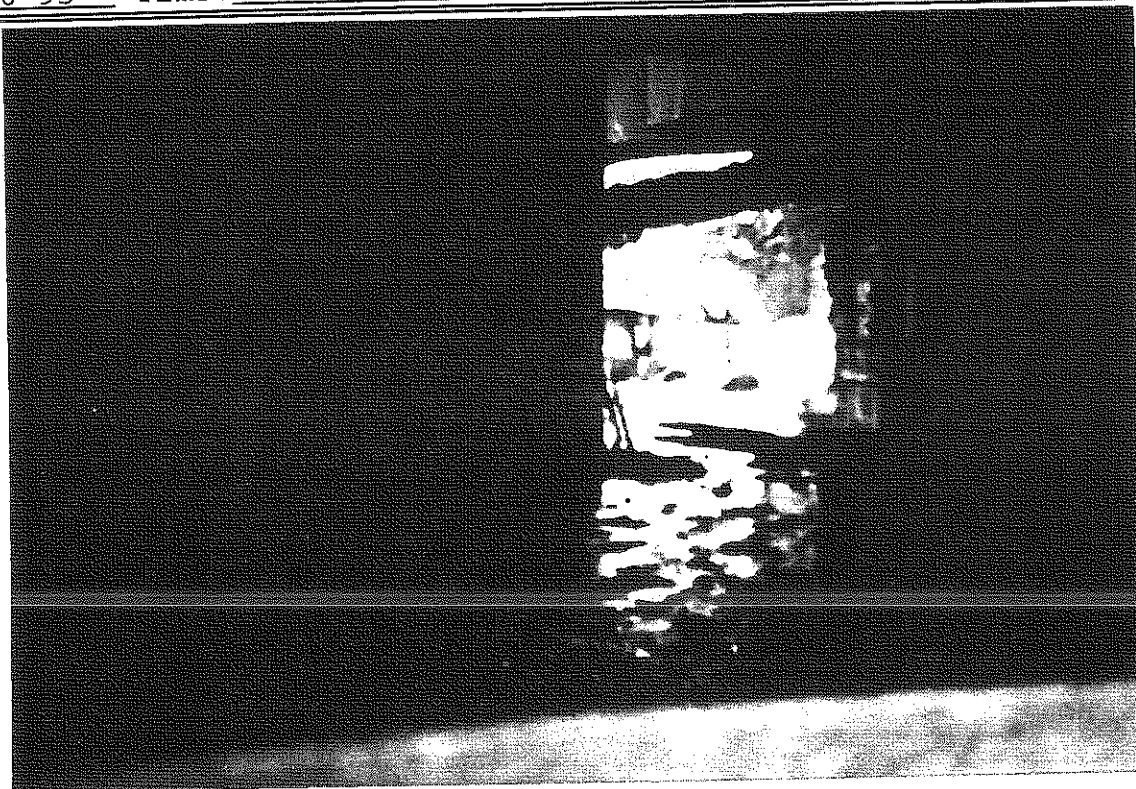
Comments: SE: Close up of material on floor in building F.

Roll #: 95-487 Photo #: 6

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: SW: Foreground-building F--Background-building G. Floor
covered w/approx. 2' of unknown material. Roll #: 95-487 Photo #: 7



Comments: W: Soil contamination in ditch west of building S.
Roll #: 95-487 Photo #: 8

Illinois Environmental Protection Agency Photographs

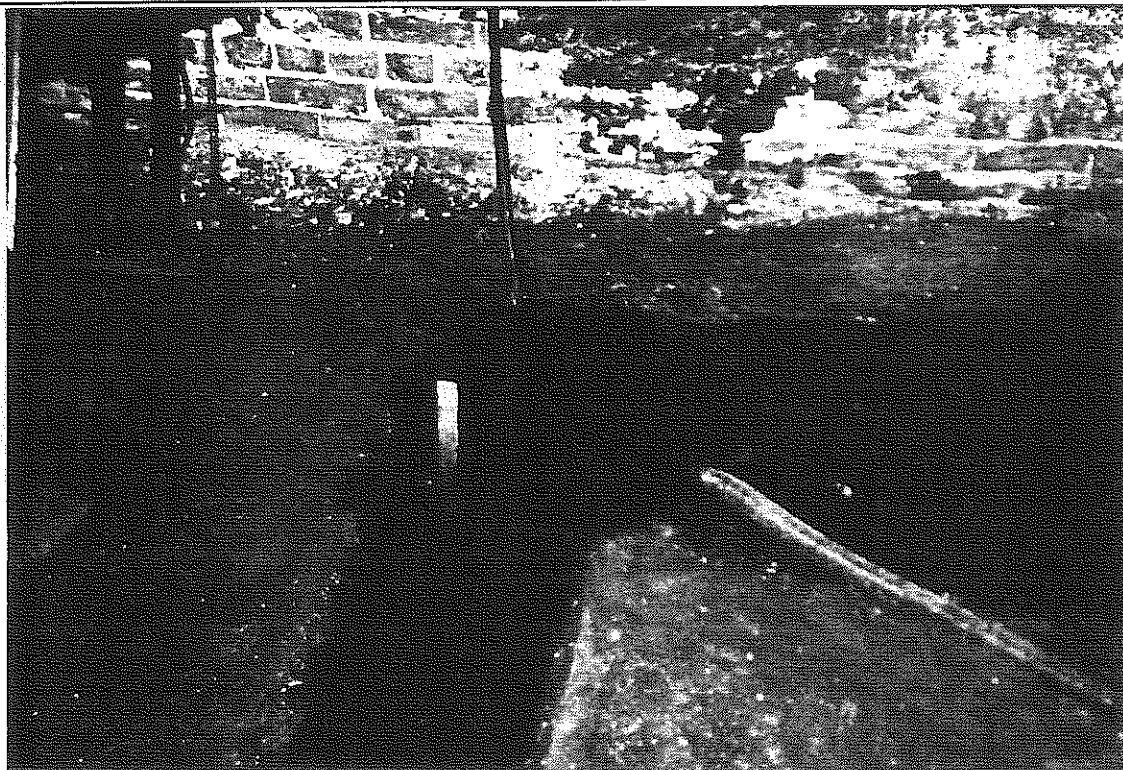
Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: NW: Soil contamination in ditch west of building S.

Roll #: 95-487 Photo #: 9



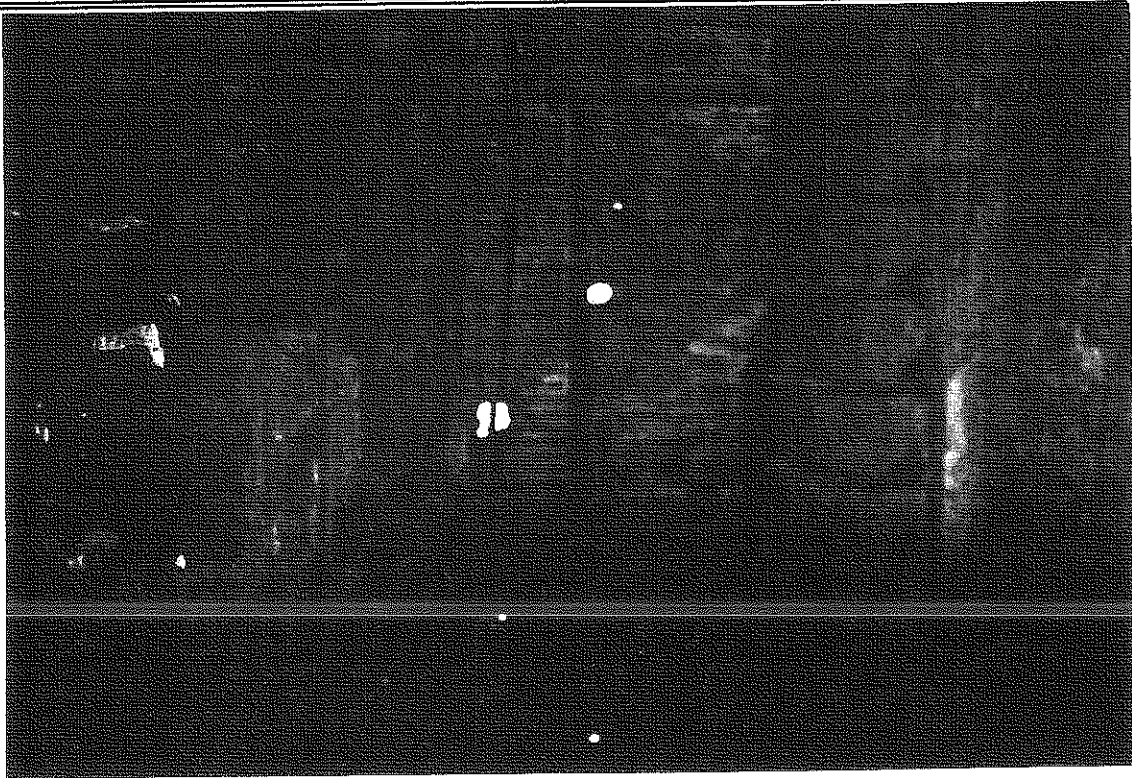
Comments: SE: Sump containing contaminated rain water west of former
processing area.

Roll #: 95-487 Photo #: 10

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: W: Hose leading from sump to outside of building S.

Roll #: 95-487 Photo #: 11



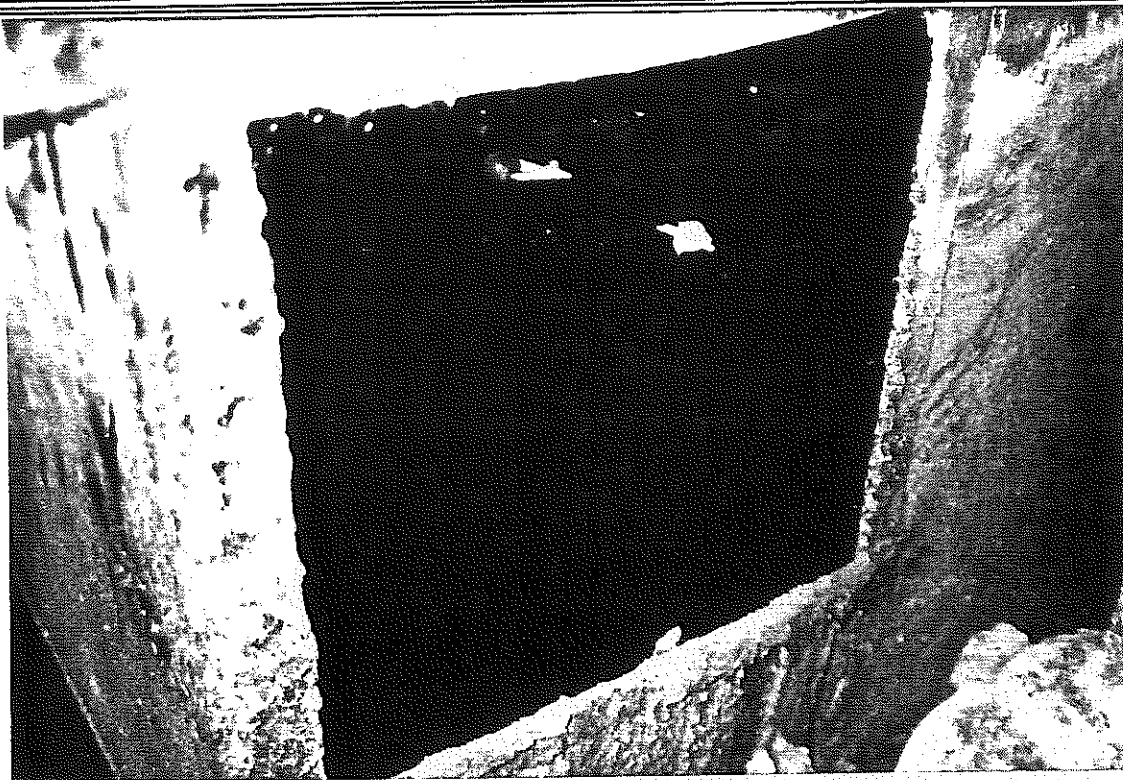
Comments: E: Hose from sump inside building S--Contaminated water is
discharged to ditch west of building.

Roll #: 95-487 Photo #: 12

Illinois Environmental Protection Agency Photographs

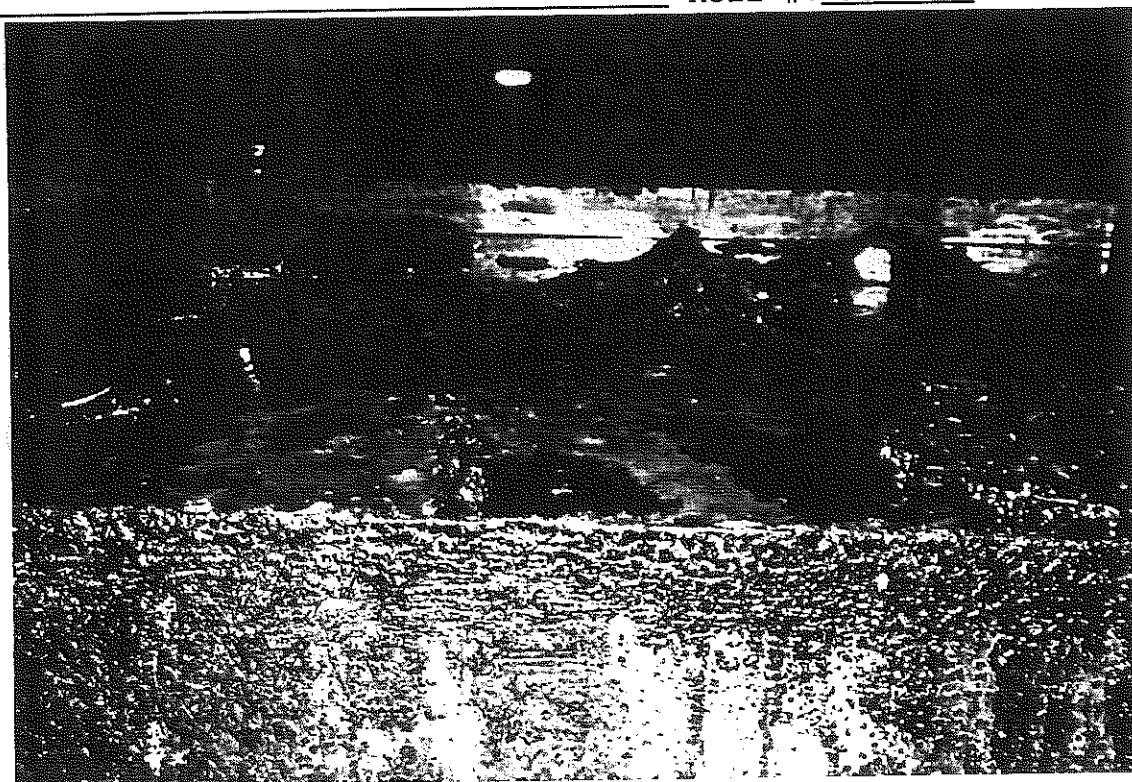
Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: SE: Material found in former processing tank in building S.

Roll #: 95-487 Photo #: 13



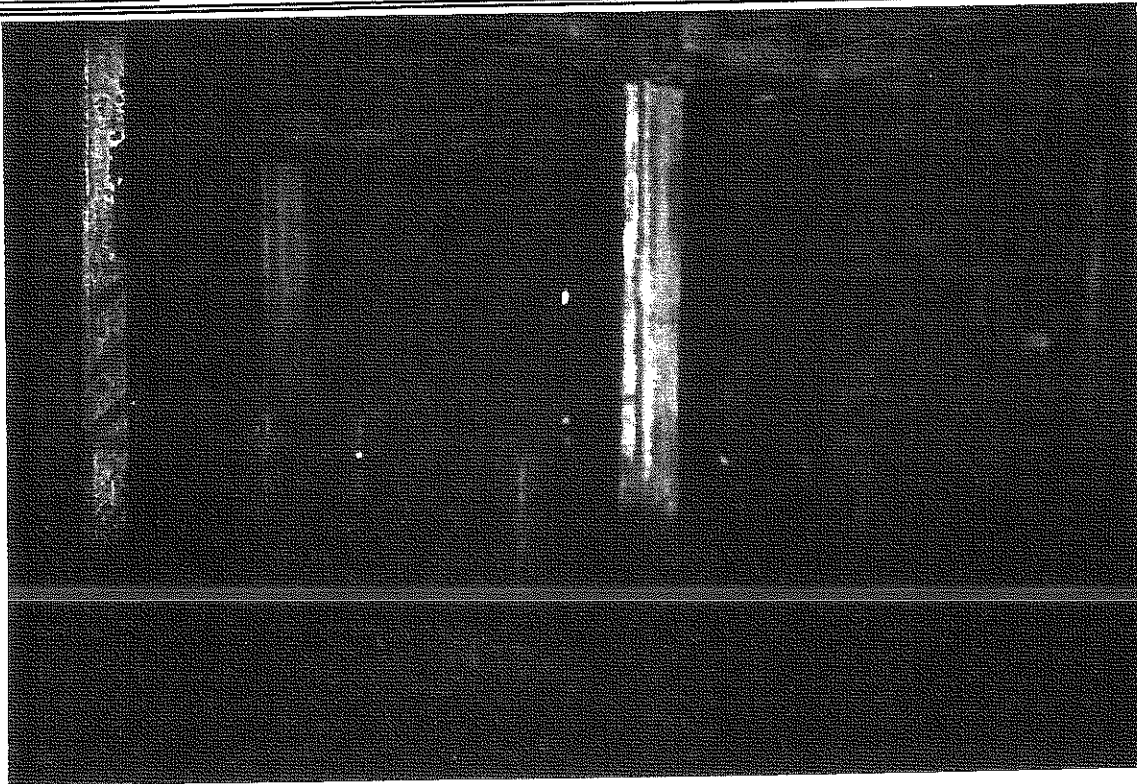
Comments: E: Building A--Tote filled with grease or paint waste.

Roll #: 95-487 Photo #: 14

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: SE: Building A--Drums in poor condition filled with grease or
paint-supposedly usable material. Roll #: 95-487 Photo #: 15



NW ←

Comments: NW: Painting area in building N--paint chips from used totes
dumped on floor. Roll #: 95-487 Photo #: 16

Illinois Environmental Protection Agency Photographs

Site Name: IWI Industries IEPA #: 0311740003

Date: 6-30-95 Time: 8:45 - 9:40 am Photograph By: T. Kovasznay



Comments: NE: Paint sludge from inside used tote, stored outside--oozing
red colored liquid onto ground. Roll #: 95-487 Photo #: 17

NO PHOTO

Comments: _____

Roll #: _____ Photo #: _____

Activity By Process Code	On Pt A?	Activity Conducted Prior to 1980?	Was Activity Ever Done?	Closed	Being Done at Time of Insp?	Exempt per 35 IAC, Sec.	On Annual Report
S01	N	UNKNOWN	Y	N	UNKNOWN	—	N N N
S02	N	UNKNOWN	Y	N	UNKNOWN	—	N N N

Q.1: IWI INDUSTRIES

Telephone #: 458-8700

===== 7738 W. 41st STREET

day: Summit

State: IL

Zig Code: 60501

Owner: GLENN WELLMAN

Telephone #: 458-8700

Serial: 7738 W. 61st STREET

city: Summit

State: 14

Zin Code: 60501

Person Interviewed

12 6 7 9

Telephones 4

GLENN WELLMAN

OWNER

458-8700

Inspection: Pending

Agency/Title

Telefon: 33 33

Rich Finley

1EPA / EPS 3

345-9780

CAROL GLAZER

LEAF / LSCT

345-9780

1911. 11

Agency: T-1212

Telefona a

RICH FINLEY

1EPA / EPS 3

345-9780

Summary of Apparent Violations

[illegible][illegible][illegible]

NARRATIVE

I. What the company manufactures or services

performed MANUFACTURER OF TOTE TANKS.

II. Wastes generated by the company — SEE COMMENTS

A. HAZARDOUS WASTES

Name _____ EPA H.W.# _____ Process _____

Rate of Generation _____ Disposition _____

How is waste handled _____ Shipment frequency _____

Amt on site _____ Accumulate/Stored in _____

Name _____ EPA H.W.# _____ Process _____

Rate of Generation _____ Disposition _____

How is waste handled _____ Shipment frequency _____

Amt on site _____ Accumulate/Stored in _____

Name _____ EPA H.W.# _____ Process _____

Rate of Generation _____ Disposition _____

How is waste handled _____ Shipment frequency _____

Amt on site _____ Accumulate/Stored in _____

IV. RELEVANT NOTES OR OBSERVATIONS

UPON ARRIVAL AT THIS FACILITY ON 1-11-89, CARL GRAZER AND MYSELF WERE MET BY MR. GLENN WELLMAN.

I INFORMED MR. WELLMAN THAT THE PURPOSE OF OUR VISIT WAS TO CONDUCT AN INSPECTION TO DETERMINE IWI'S COMPLIANCE WITH RCRA.

MR. WELLMAN STATED THAT UPON THE ADVICE OF HIS LAWYERS, HE COULD NOT APPROVE OF AN INSPECTION.

I ASKED MR. WELLMAN IF HE WAS REFUSING TO ALLOW US TO ENTER HIS FACILITY TO CONDUCT AN INSPECTION.

MR. WELLMAN REPLIED "WHAT CAN I SAY? MY LAWYERS TELL ME THEY WILL DROP ME IF I LET YOU IN. WE'RE IN THE MIDDLE OF LITIGATION RIGHT NOW."

I THANKED MR. WELLMAN FOR HIS TIME AND WE LEFT THE FACILITY WITHOUT CONDUCTING AN INSPECTION.

memorandum

PME

DATE: June 4, 1986

REPLY TO
ATTN OF: Michelle Smith

SUBJECT: Government's Version of the Offense Re
United States v. Glenn Wellman, 86 CR 78

TO: Barbara Bowman

From January 1979 to July 1981, Itasco Incorporated, Summit, Illinois, sold 129 used and new portable storage tanks to M-Chem, West Wego, Louisiana. These tanks were to be used for water transportation of flammable and combustible liquids to oil drilling rigs. Regulations of the Department of Transportation (DOT) (Materials Transportation Bureau) require that a manufacturer of these tanks obtain a DOT "exemption" which permits the company to make and sell the tanks and which certifies that the tanks meet certain specifications for safety purposes.

Itasco's President, Glenn Wellman, represented to M-Chem that the tanks he sold met DOT specifications and had a valid DOT exemption. He provided a copy of an exemption to M-Chem on May 22, 1978 and March 1981. The first exemption belonged to a different company and the second exemption, which was in the name of Itasco, was a forgery.

DOT inspected the tanks sold to M-Chem and discovered that five of the tanks, selected at random, did not meet the specifications.

Wellman was convicted, after a jury trial, of two counts of mail fraud. (Count three of the indictment has been previously dismissed by the court).

I. Factual Background of the Case

A. The Fraudulent Exemption

In 1978, M-Chem employee, Peter Horkowitz, saw an ad in a trade paper for reconditioned tanks from Itasco. Itasco advertised that its reconditioned tanks met Coast Guard approval for water transportation. Wellman represented by phone and letter that the tanks met DOT 57 specifications and that the tanks were suitable for water transportation of flammable and combustible liquids.

On May 22, 1978, Wellman sent a drawing of the tanks and a copy of a DOT exemption, DOT-E 7824, issued to Petrolite Corporation, St. Louis, MO. Wellman explained that the Petrolite exemption covered Itasco's tanks.

M-Chem began purchasing tanks in January 1979. The first 39 tanks, purchased between January and August, 1979, were "reconditioned" tanks; after that, M-Chem bought tanks which Wellman said were new. M-Chem used the tanks to ship highly flammable and combustible products to off-shore oil drilling platforms.

In 1979, M-Chem experienced problems with the tanks. Tanks arrived at M-Chem without DOT specification plates and other parts required by DOT. On December 7, 1979, Chatelain wrote Wellman, stating that, "We are unable to use these containers until they comply with DOT regulations."

Wellman responded by filling parts orders. M-Chem ordered no more tanks after March, 1980.

In mid-1980, a customer of M-Chem refused to accept M-Chem's products in the tanks. M-Chem was told that the tanks were not Coast Guard approved. After losing the customer, M-Chem began investigating.

Mark Vile, M-Chem's new Technical Manager, reviewed the 1978 exemption and realized that it had expired in October 1978. Vile contacted Wellman by telephone, explained the situation, and asked if the Petrolite exemption could be renewed. Wellman did not directly answer, but reassured Vile that the tank met the DOT 57 and DOT 60 specifications and that they were authorized for offshore use. Not totally satisfied with Wellman's reply, Vile next called the U.S. Coast Guard in New Orleans to see if a revised version of exemption of DOT-E 7824 could be obtained through the office. Coast Guard representatives said to go back to their supplier for a copy of the exemption. With that, both Vile and Chatelain made telephone calls to Wellman requesting an updated exemption to replace the expired Petrolite exemption. Just as before, Wellman only gave verbal reassurance that the tanks were suitable for water transportation of hazardous materials.

M-Chem ordered 30 more tanks in January, 1981, on verbal assurances that the tanks were approved.

On February 5, 1981, Wellman sent M-Chem a letter listing several "approval numbers" and stating that those numbers were authorization for the tanks. (Count One).

The numbers are merely citations to the Code of Federal Regulations and an exemption number E-8347. This was a new number, so M-Chem called and requested a copy of the exemption.

On March 11, 1981, Wellman sent M-Chem a letter, "enclosing a copy of exemption E-8347-A which is self explanatory". Enclosed was what appeared to be a DOT exemption E-8347-A.

(Count Two).

The exemption was in the ~~name~~ of Itasco Industries. It is a fraud. The language in ~~the~~ document tracks that of a real exemption, DOT E-8347, ~~which~~ was issued to another company. Alan I. Roberts, ~~Associa~~ Director of the Office of Hazardous Materials Regulations ~~verified~~ that the Materials Transportation Bureau of DOT ~~never~~ issued an exemption DOT E-8347-A to Itasco Industries, Inc. He published a notice in the Federal Register ~~to~~ that effect on December 4, 1981.

No evidence was presented ~~to~~ the jury about the source of the forgery. However, the ~~exemption~~ was of the same typeface (IBM Selectric) as ~~typewriters~~ at Itasco. The FBI lab said they could not ~~make~~ a definitive association because all IBM Selectrics are ~~the same~~. The FBI lab also found "a faint line" on the ~~document~~ suggesting the letterhead from a Department of Transportation communication may have been placed at the top of a ~~typewritten~~ page and then photocopied resulting in a document having ~~the~~ appearance of an official communication." M-Chem spent ~~over~~ 100,000 on tanks sold by Wellman.

B. The Tanks

Itasco bought over 200 used ~~tanks~~ from a company in California. Itasco paid nothing ~~for~~ them but freight. Itasco cleaned them, knocked out the ~~dent~~ painted them. Itasco charged M-Chem \$400 for each used ~~tank~~.

Although M-Chem believed ~~it~~ also bought newly manufactured tanks from Itasco, Wellman told ~~the~~ Department of Transportation that all the tanks he sold to M-Chem were used. Wellman denied that statement on the ~~witness~~ stand. However, he admitted that the new and used ~~tanks~~ were indistinguishable and that Itasco usually did not ~~manufacture~~ tanks of that design.

DOT examined the tanks at M-Chem in 1981, picking five at random to examine in detail. All five had numerous violations of regulations. Some ~~could~~ have had safety consequences. The main violations concerned improper closure and pressure relief devices. The pressure relief devices are designed to allow the tank to ~~release~~ a controlled amount of flammable vapor when a certain level of pressure is reached inside the tank. The pressure relief devices left on the tanks by Wellman, ~~however~~, would open under too little pressure. Thus, vapor could be released under improper conditions. For example ~~the~~ device might release vapor when the tank is inside a closed van. Vapor could fill the van and ignite with a cigarette lighter.

DOT proceeded against Wellman administratively for the failure to meet specifications. DOT also proceeded

against Wellman for failing to test properly tanks which were sold to another company. The DOT assessed a fine of \$40,000 in early 1983 while Wellman has refused to pay. He is currently being sued by the U.S. Attorney's Office to collect the fine.

II. Aggravating Circumstances

The case against the defendant is aggravated by several circumstances. This fraud is but one of a long series of environmental violations by Wellman and his company. Wellman's actions show his active disregard for environmental safeguards in the conduct of his business.

Wellman and his companies, Wellco, Itasco and I.W.I., have been the subject of investigations for illegal toxic waste dumping since at least 1972. His companies clean industrial storage and shipping tanks. Numerous different paints and chemicals are discharged in the cleaning process. The Metropolitan Sanitary District ("MSD") and the Illinois Environmental Protection Agency have cited Wellman for dumping into the sanitary sewer since 1972. Examples of Wellman's contacts with various agencies follow:

On May 21, 1971, Wellco was cited for discharging sewerage with excessive concentrations of cadmium, iron, mercury, lead, zinc and hexane solubles into the sanitary sewerage system. Wellman failed to appear for meetings with the Metropolitan Sanitary District in the Summer of 1971. Wellco was issued a violation on July 21, 1971 for discharging excessive concentrations of lead and mercury into the sanitary sewer system. In August 1971, Wellman sent letters to MSD claiming that it was in compliance.

On January 9, 1973, Wellman was cited for discharging wastes with high PH and excessive concentrations of hexane solubles, zinc, lead and mercury into the sanitary sewer. Wellman failed to appear for conciliation meetings and later claimed that it was not in violation. In March 1973, Wellman was again cited for discharging waste with a high PH and excessive concentrations of hexane solubles into the sanitary sewer. Wellman failed to appear for required meetings. After failing to appear at three meetings the MSD recommended filing a lawsuit against Wellman. In 1974, the MSD inspected Wellco again and found high PH materials in the area which led to their sanitary sewer. The MSD also found large amounts of fuel oil in the floor of a burned out building. The Village of Summit Fire Chief stated that the fuel oil was a substantial fire hazard. Wellman claimed that the oil should not concern the MSD because it did not enter the sewer. He also claimed that the sludge leading to the sanitary sewer was back-up from some other company. He claimed that his cleaning operation did not involve any discharge in the sewers.

In 1975, the MSD found oil being discharged from the Wellco facility into the sanitary sewer. MSD found that no action ~~has~~ been taken to clean up the oil or the sludge. Wellman ~~denied~~ that the oil was coming from his facility.

In August 1975, citizens complained that a discharge was coming from Wellco Chemical. The Metropolitan Sanitary District Investigator went to the plant and saw a discharge coming from a hose in the plant. When interviewed, Wellman claimed ~~that~~ he was emptying rainwater. Ten days later, a second citizen complaint was received that the company was again discharging effluent from a hose into the storm drain. Wellman again claimed that he was simply pumping rainwater from a reservoir. In fact, the reservoir is / ~~the foundation of a burned-out building into which Wellman dumps the remains of his tank cleaning process.~~ As such, it contains toxic cleaning solvents and high lead concentrations. The MSD ~~told~~ Wellman to turn off the pump. The next day, MSD investigators returned to the site. They found that over 3 feet more of liquid had been pumped. When questioned, Wellman ~~simply~~ stated that an employee had unknowingly left it on for an hour.

In 1977, the Metropolitan Sanitary District sued Wellman for failing to install a sampling station as required by MSD regulations. During the lawsuit, the court ordered periodic inspection and sampling at his plant. During a court ~~ordered~~ inspection on October 20, 1977, Wellman refused to give inspectors water to perform tests, refused to allow inspection of certain areas, and refused to allow inspection of a room on the grounds that it had been condemned. The Metropolitan Sanitary District discovered that the area had ~~not~~ been condemned and returned the next day to do its inspection. Wellman refused to allow one of the inspectors in the premises. Inspection of other areas of the plant was impossible because material was placed in such a way as to make inspection impossible.

The Metropolitan Sanitary District then placed automatic samplers at various locations to determine if illegal dumping was occurring. Although the samplers detected no change in sewerage quality during the week and on weekends on election day of 1976 a large discharge was detected by the automatic samplers. The dumping occurred immediately after the water samplers had quit for the day and left the location.

9/12/77 - Permanent Inspection.
In May of 1977, the Village Clerk of Summit received a citizen complaint about Wellco. The Village Clerk, personally responded to the complaint and saw that effluent from Wellco was traveling across the pavement and was entering the sanitary sewer. The MSD investigated and found the material to have a PH of 11. The plant would not allow

the MSD investigator onto the premises. The MSD investigator returned to the company with the Mayor of Summit who was authorized to act as a Health Inspector. Access to the plant was denied. The next day MSD investigators returned and were denied admittance. Glenn Wellman agreed to see the investigators. While waiting for Wellman's arrival, the investigators observed company workers removing temporary garden hose hook-ups. Wellman claimed that the liquid which was running into the sanitary sewer was simply rainwater. He claimed the Welco Chemical Company added nothing to the rainwater and if the PH was not that of rainwater, he could not be responsible for what was picked up from the water in the ground.

79 & 80 VIOLATIONS.
In 1981, the Illinois Environmental Protection Agency ("IEPA") began investigating Mr. Wellman. In May 1981, the IEPA attempted to visit Wellman's facilities for the purpose of taking samples of sludge and other materials stored in barrels on the plantsite. Wellman delayed in IEPA investigators from seeing the premises for two months. Wellman admitted that he cleaned tanks as part of his operations. He claimed he got required permits to dispose of the sludge. Wellman claimed that he was authorized by the Village of Summit to take away his wastes.

The IEPA contacted the Village of Summit. The Village of Summit stated that they had accepted waste from Wellman. However, they were unaware that hazardous materials were being shipped with the other garbage. They said the barrels of waste had been placed at the bottom of dumpsters and covered with demolition materials. After that point the village refused to accept any waste from IWI.

In February, 1982, a citizen complained that green liquid was flowing from Welco Chemical to an adjacent railroad siding and to the street. Pollution control officers from the MSD found a flow of opaque light green liquid from under a door in the eastern wall of the facility. About 200 gallons of the liquid was on the ground. When interviewed, Wellman said that the flow was melting ice and snow, notwithstanding its color and high PH. At approximately 5:00 p.m., investigator took additional samples of the materials. Wellman again stated that there was no flow of materials or that it was tap water. On February 18 and 19, investigators returned to Welco. Wellman claimed that he couldn't find the problem. However, investigators found small puddles of green liquid in the walkway near the door of the facility. Inspection of the building in which tanks were washed revealed large amounts of green caustic mud and reddish pools of alkaline material. The samples were found to contain illegal concentrations of cyanide and lead.

The MSD cited Wellman for violations of discharge requirements of fats, oils, greases, lead and high PH materials. A conciliation agreement was reached with MSD which Wellman agreed to allow access to his facilities whenever a supervisor was present in April 1982. Two weeks later, inspectors went to Wellco to conduct a compliance investigation. The MSD found on investigation that the company had stacked large metal paint boxes in the area that they were there to inspect. Wellman stated that the boxes could not be moved for at least a week. Access was denied for at least a month. Meanwhile, pollution control officers found that other samples were in violation of dumping regulations for lead, cyanide and fats, greases and oils. The MSD again brought a violation against Wellman. In September 1982, additional discharges were found to contain high lead and mercury. The company denied dealing with lead or cyanide. However, it agreed to try to come into compliance. Apparently, no action was actually taken.

In 1984, Wellman, was again cited for violations of cyanide and lead regulations. Wellman again claimed that the company does not discharge any hazardous waste.

Wellman has been the subject of a show cause action for illegal dumping of lead and cyanide into the sanitary sewer as recently as May of this year.

Wellman has been the subject of continuous litigation with the United States in connection with the financing his business.

Wellman financed Wellco Chemical with a \$388,000 Small Business Administration guaranteed loan in March 1972. He defaulted in June 1973 and the SBA was forced to purchase the loan from the bank. Wellman paid only interest for four years. In 1977, the U.S. Marshall foreclosed and sold the property. The largest bidder was the SBA for \$300,000.

The SBA sold the property to what it believed was a third party, Rae Mintz, for \$156,000. In fact, Rae Mintz is the mother of Wellman's friend and attorney, Arthur Mintz. Mintz formed a corporation, IWI Industries, Inc., which promptly loaned Wellman \$150,000 to buy back Itasco. Thus, the SBA suffered a loss of \$150,000, while Wellman rebought the company for \$150,000.

In March, 1978, Judge Decker issued a deficiency judgment of \$148,000. Wellman failed to pay any money and the U.S. began a citation to discover assets. During those proceedings, the government discovered that Wellman failed to list his Lincoln Continental as an asset. The United States seized the car. Wellman then filed bankruptcy.

During these years, Wellman lived (until his divorce) in a luxury condominium at 1310 N. Lake Shore Drive. After the bank which held the mortgage threatened to foreclose, Wellman sold the condominium. The United States recovered approximately \$105,000 from the sale in 1985. Thus, it took the United States thirteen years to recover money from Wellman's default. The total loss to the government was \$200,000.

Wellman's culpability is further aggravated by his lack of remorse and his lies on the witness stand. Wellman's lack of remorse is demonstrated by his continued blatant violations notwithstanding civil judgments. He has yet to pay the civil fine assessed for the tanks found to be in violation of regulations.

Wellman testified at trial and claimed that he knew nothing about the forged government document. He claimed that "someone" at his California plant obtained the document. He failed to even name the person. He claimed that he really had no control over the California operation.

He was confronted with documents from the California Secretary of State's Office which showed that the officers of his company were his wife, his son, and himself. The jury rejected his obviously false testimony.

VICTIM IMPACT STATEMENT

The victim of defendant's crime are M-Chem, Inc. and the citizens of Louisiana and Illinois. M-Chem was defrauded of its right to have tanks which were in compliance with safety regulations. Wellman's tanks posed hazard to persons handling them and a pollution hazard to the Gulf of Mexico. Further, the integrity of the Department of Transportation's regulatory scheme was threatened by Wellman's use of a forged government document.

Recommendation

It is rare that the courts may consider what is, at bottom, an environmental and safety crime. Wellman's actions in connection with this indictment alone demonstrate that he is willing to defraud customers to sell his products. However, viewed against the background of his violations of environmental regulations, it can be said that Wellman has persistently defrauded the citizens of Illinois and the U.S. government since 1971. He has taken advantage of the legal system to delay paying his debts and to continually pollute the environment. He has thus far, successfully resisted the efforts of local, state, and federal governments to clean up his operation and pay his debts. Accordingly, he poses a threat to the safety of the community which deserves punishment and deterrence. Further, punishment of him may deter others. Accordingly, the government recommends four years incarceration and a \$100,000 fine.

